



Dedicated to Mine Land Reclamation, Conservation, & Economic Development in the Wyoming Valley

December 3, 2019

Ms. Felicia Fred, Brownfield Coordinator  
Environmental Protection Agency, Region 3  
1650 Arch Street | Mail Code 3HS51  
Philadelphia, PA 19103

RE: FY2020 USEPA Brownfields Cleanup Grant Application  
Espy Run Stream Restoration, Segment F – Hanover Township, Luzerne County, PA

Ms. Fred:

Please find attached Earth Conservancy's (EC) application to the United States Environmental Protection Agency (USEPA) for a \$500,000 Brownfields Cleanup grant for restoration of Espy Run, Segment F, in Hanover Township, Luzerne County, Pennsylvania.

Espy Run, part of the Nanticoke Creek watershed, flows for 2.4 miles. Near its headwaters, it is a healthy stream. However, ½-mile later, it encounters a large tract of mine-scarred land (a.k.a., Bliss Bank) and disappears underground. In addition to separating Espy Run from its source, the mine spoils obstruct the stream's path in sections, causing flooding in some areas or blocking flow entirely. The spoils also contribute to sedimentation and acid mine drainage (AMD), both of which pollute remaining parts of the waterway.

EC is working to restore the mine-scarred sections of Espy Run. Because of the size of the undertaking, work is being completed in small increments following an upstream progression. Segments A, B, C, and D – 1,000LF each – already have received USEPA funding and are either complete or in progress. Segment E (750LF) has received funding from the Pennsylvania Department of Environmental Protection (PADEP). EC currently is seeking funding for Segment F. This 1,500LF section is the final stretch of the “missing segment” required to be restored in order to reconnect the stream to its pristine headwaters. Completion of the project will improve environmental health for the stream and its watershed, as well as repair local hydrology, especially important when future reclamation and redevelopment activities occur.

As required in the application guidelines, EC provides the following information to USEPA:

1. **Applicant Identification:** Earth Conservancy; 101 South Main Street, Ashley, PA 18706; 570.823.3445/p; 570.823.8270/f; [www.earthconservancy.org](http://www.earthconservancy.org); DUNS #807365705
2. **Funding Requested**
  - a. **Grant Type:** Single Site Cleanup
  - b. **Federal Funds Requested**
    - i. **Amount Requested:** \$500,000
    - ii. **Cost Share:** No cost share waiver requested
  - c. **Contamination:** Mine-Scarred Land

**3. Location**

- a. **City:** Hanover Township
- b. **County:** Luzerne County
- c. **State:** Pennsylvania

**4. Property Information:** Channel runs from approximately 41.179942, -75.987672 to 41.176588, -75.988711.

**5. Contacts**

- a. **Project Director:** Geoffrey D. Shaw, CPA; 570.823.3445;  
[g.shaw@earthconservancy.org](mailto:g.shaw@earthconservancy.org); 101 South Main Street, Ashley, PA 18706
- b. **Chief Executive:** Terence J. Ostrowski, PE; 570.823.3445;  
[t.ostrowski@earthconservancy.org](mailto:t.ostrowski@earthconservancy.org); 101 South Main Street, Ashley, PA 18706

**6. Population:** EC is a nonprofit 501(c)(3) organization, serving a county population of 318,222. Espy Run, Segment F, is located in Hanover Township, population 10,938.

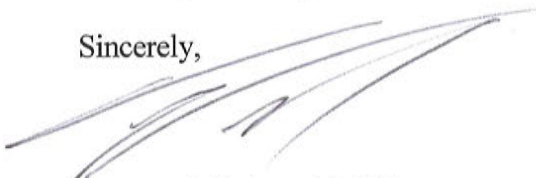
**7. Other Factors Checklist**

Other Factors	Page #
Community population is 10,000 or less.	
Applicant is, or will assist, a federally recognized Indian tribe or United States territory.	
The proposed brownfield site is impacted by mine-scarred land.	p. 1+
Secured firm leveraging commitment ties directly to the project and will facilitate completion of the project/redevelopment; secured resource is identified in the Narrative and substantiated in the attached documentation.	
The proposed site(s) is adjacent to a body of water (i.e., the border of the site(s) is contiguous or partially contiguous to the body of water, or would be contiguous or partially contiguous with a body of water but for a street, road, or other public thoroughfare separating them).	p. 1+
The proposed site(s) is in a federally designated flood plain.	
The redevelopment of the proposed cleanup site(s) will facilitate renewable energy from wind, solar, or geothermal energy; or will incorporate energy efficiency measures.	

**8. Letter from State Environmental Authority:** A current letter of acknowledgement from the Director of PADEP's Bureau of Environmental Cleanups & Brownfields is included herein as Attachment A.

EC can bring together the partners and resources necessary to complete restoration of Espy Run, Segment F. As noted, it is one piece of a larger plan, one that seeks to create a more livable community now, and clears the way for positive, progressive change for future generations. We appreciate your time and consideration in reviewing this Brownfields Cleanup application, and look forward to continuing our mission to revitalizing the south Wyoming Valley through our reclamation work in partnership with USEPA.

Sincerely,



Terence J. Ostrowski, P.E.  
President and CEO



October 23, 2019

Mr. Terence J. Ostrowski, P.E.  
Earth Conservancy  
101 South Main Street  
Ashley, PA 18706

RE: U.S. EPA Brownfields Cleanup Proposal | State Letter of Acknowledgement  
Espy Run Stream Restoration, Segment F  
Hanover Township, Luzerne County, Pennsylvania

Mr. Ostrowski:

The Pennsylvania Department of Environmental Protection (DEP) is pleased to support your efforts to redevelop brownfield properties in your community. Returning such underutilized lands to productive use improves our environment, safeguards our residents, and helps boost Pennsylvania's economy.

The DEP supports Earth Conservancy's application for a \$500,000 Brownfields Cleanup Grant from the U.S. Environmental Protection Agency (EPA) for Segment F of its ongoing Espy Run Stream Restoration Project. These funds will be used to reconstruct approximately 1,000 feet of stream channel on mine-scarred land in Hanover Township, Pennsylvania.

Earth Conservancy's work to re-examine and restore lands damaged by historic mining practices adds to the revitalization of communities in the northeast region. It creates renewed neighborhoods and business districts in Pennsylvania and is a worthwhile endeavor. Both Central Office and Regional Office Staff in the Land Recycling Program look forward to supporting Earth Conservancy and EPA Region 3 on this project.

If you have any questions, please contact John Gross by email at [johnngross@pa.gov](mailto:johnngross@pa.gov) or by telephone at 717-783-7502.

Sincerely,

A handwritten signature in black ink, appearing to read "Lee McDonnell".

Lee McDonnell, P.E.  
Program Manager  
Bureau Environmental Cleanups and Brownfields

## Narrative/Ranking Criteria

**Including**

**Attachment A:** Documentation of Leveraged Resources (1 page)



## SECTION 1 | PROJECT AREA DESCRIPTION & PLANS FOR REVITALIZATION

### 1.a. Target Area and Brownfields

**1.a.i. Background & Description of Target Area:** Along the Susquehanna River in Luzerne County, Pennsylvania, are a collection of towns and boroughs clustered around the small city of Nanticoke (pop. 10,296). Known as the South Valley, the area, like many within Pennsylvania's anthracite fields, flourished with the rise of the coal industry. Anthracite was a clean, efficient fuel, and became crucial during the Industrial Revolution. This clout was magnified locally: Coal affected residents' entire way of life. Companies built towns around each colliery, keeping employees steps away from work. They also subsidized businesses, financed banks, and owned attendant industries like railroads and ironworks. Over 20 collieries were operating within a 2.5-mile radius of Nanticoke.<sup>1</sup> At the industry's height, over 100 million tons of coal were culled annually from the region.<sup>2</sup>

After World War II, however, the need for anthracite declined. This, coupled with the deadly Knox Mine Disaster of 1959, led to the industry's end locally. Mines flooded, collieries shuttered, and bankruptcies were announced. Mining in the anthracite region, having once "employed 175,000 men and directly supported a population of about 1 million," dwindled to some "1,400 workers, supporting an overall population of perhaps 5,000" by 1992.<sup>3</sup>

The South Valley can be proud of its mining heritage. Mining fueled America's Industrial Revolution and the industry attracted and provided for thousands. Nevertheless, the environmental and economic landscape left at the end of the coal era was grim. When the companies closed, operations were abandoned entirely, leaving a patchwork of towns abutting thousand-acre stretches of coal waste and stripping pits. Waterways suffered, too, with channels destroyed, lost underground, or turned orange by acid mine drainage. **Espy Run, located on mine-scarred land, is one of those waterways negatively affected by historic mining activity.** Earth Conservancy (EC) is seeking a Brownfields Cleanup grant from the U.S. Environmental Protection Agency (USEPA) to restore 1,500LF of Espy Run (Segment F) in order to address the environmental and economic consequences its damaged condition effects.

**1.a.ii. Description of the Brownfield Site:** Espy Run, the brownfield targeted by this application, is part of the Nanticoke Creek watershed, an 8.2 mi<sup>2</sup> sub-watershed of the Susquehanna River Drainage Basin. The watershed extends into four municipalities: the City of Nanticoke, Hanover and Newport Townships, and Warrior Run Borough. At least seven collieries were operating within the watershed, their work leaving a subterranean network of tunnels and shafts and over 3.5 mi<sup>2</sup> of abandoned minelands aboveground.

Segment F is in Hanover Township on a mine-scarred tract known as Bliss Bank. Originally owned by the Blue Coal Corporation, the area was deep-mined, strip-mined, and then used as a dump for mining waste. When the company declared bankruptcy in the 1970s, it left the site ravaged: a 200-acre stretch of massive culm banks and deep pits on which little more than feeble trees and scraggly brush could grow. Furthermore, Espy Run was destroyed. Mining operations created voids in the earth, diverting its flow underground. The culm banks, meanwhile, perpetually erode. Precipitation on the spoils produce acid mine drainage (AMD), causing elevated concentrations of metals and a lower than normal pH in downstream waters. AMD not only makes the water impotable; it also becomes inhospitable to vegetation and aquatic life.

<sup>1</sup> Metzger, B. (2008, April). Pennsylvania's Northern Anthracite Coal Field, ca. 1939 [map]. *Trains Magazine*.

<sup>2</sup> Adams, S.P. (2010). The U.S. Coal Industry in the Nineteenth Century. In R. Whaples (Ed.), *EH.Net Encyclopedia*.

<sup>3</sup> Dublin, T. (1998). *When the Mines Closed: Stories of Struggles in Hard Times*. Ithaca, NY: Cornell UP.

Because of area's degraded condition, it is perceived negatively by many. Unfortunately, such devaluing correlates with increased abuse to the property.<sup>4</sup> Off-roading, vandalism, illegal dumping, and fire-setting all exacerbate mining damages and add stress to an already-disturbed wildlife. Within a 1/3- to 1/2-mile of the project site is most of the residential Hanover section of Nanticoke and a large community recreational area, which includes a park, tennis courts, and ballfields. Additional mine-scarred lands extend for thousands of acres to the east.

### **1.b. Revitalization of the Target Area**

**1.b.i. Reuse Strategy & Alignment with Revitalization Plans:** After its formation, EC initiated several land use planning initiatives. Each focused on a different aspect of reuse. All incorporated environmental, economic, and social best management practices (BMPs). These plans continue to guide EC's work today. Several inform the Espy Run project:

- Foremost is EC's initial *Land Use Plan (LUP)* (1996), which evaluated the Blue Coal lands to establish reclamation priorities and the most responsible course for development. This was followed by the *Lower Wyoming Valley Open Space Master Plan* (1999), which recommended future uses for the 10,000 acres the *LUP* earmarked for greenspace.
- EC, partnering with the Pennsylvania Department of Environmental Protection (PADEP) and U.S. Army Corps of Engineers, undertook an extensive study of the Nanticoke Creek watershed, resulting in an *Ecosystem Restoration* (2006) report. It noted reestablishing Espy Run would "provide a green space to block views of nearby development and create recreational opportunities such as hiking and bird watching" (§3-6).
- Most recently, EC commissioned the *Master Plan for Bliss, Truesdale, Warrior Run, and Sugar Notch* (2018), which sought to delineate potential uses and infrastructure needs for 2,000 acres of land, beginning at the Bliss site. Current hydrology of and future improvements to the Nanticoke Creek watershed were assessed. Further engineering analysis of the watershed, including Espy Run's final restoration, is underway.

Espy Run's restoration fulfills USEPA's core mission of delivering "real results to provide Americans with clean air, land, and water."<sup>5</sup> The project will "revitalize land and prevent contamination" (Objective 1.3) and "provide for clean and safe water" (Objective 1.2) by reducing discharge of pollutants (i.e., AMD) into the watershed. It also supports equitable and sustainable living in the oft-neglected South Valley. By reestablishing Espy Run, Bliss Bank is improved, thereby becoming an appealing infill opportunity, close to utilities, transit, and Nanticoke's core. Livability, furthermore, is enhanced. As delineated in USHUD-USDOT-USEPA's *Livability Principles* the project features mixed-use designs that build on existing assets; consolidates areas to live, work, and play; and reduces the chance of sprawl by preserving wild lands.

**1.b.ii. Outcomes & Benefits of Reuse Strategy:** EC's planning efforts and project record demonstrate a commitment to a "triple bottom line," i.e., a desire to improve the environment, economy, and region's quality of life. Espy Run's restoration supports all three. First, the environment will be repaired, helping to manage runoff, regulate flow, and mend impaired habitat. EC has undertaken several projects already to improve conditions, including reclamation of nearby property, reconstruction of 4,750LF of channel, and construction of an AMD treatment wetlands downstream. USEPA has been a steadfast supporter of this work.

Second, repairing drainage issues will open up currently unusable lands for reuse, especially important because **part of Bliss Bank is a contiguous qualified Opportunity Zone**. Bliss Bank

<sup>4</sup> Vacant Properties Network. (2015). *Charting the Multiple Meanings of Blight*. Blacksburg, VA: Metropolitan Institute at Virginia Tech.

<sup>5</sup> USEPA. (2018). *FY 2018-2022 EPA Strategic Plan*. Washington, D.C.: USEPA.

will likely be mixed-use; therefore, precise economic effects are unknown. However, development on other EC sites confirms our work does benefit the economy, creating jobs, generating revenue sources, and expanding the tax base. Examples include:

- **Franklin Bank:** One of EC's earliest USEPA-funded projects, 42 townhouses are now being built on a 14-acre reclaimed tract in Hanover Township.
- **Huber Bank:** Huber includes three reclaimed parcels, all of which have been sold. The first two parcels include two state administrative facilities, an automotive paint distributor/training center, and plans for an upscale convenient mart. The third, 180-acre site holds three distribution centers, in use by Chewy, Adidas, and DHL Supply Chain for Patagonia. Chewy has hired 1,600 people. Entry-level workers can make \$29,120/year, \$7,330 more than the county's entry-level average salary.<sup>6</sup>
- **Hanover 9:** This 340-acre tract, reclaimed in part with USEPA-funds, was purchased by NorthPoint Development in 2018 (also purchaser of the large Huber site). Two buildings have been constructed. The first is in use by e-commerce company Spreetail. National hardware distributor True Value occupies 1 million SF<sup>2</sup> of the second, 1.4 million SF<sup>2</sup> building. NorthPoint forecasts the companies will bring 1,548 new jobs with an average salary of \$41,000 and annual payroll of \$63.4 million.<sup>7</sup>

Based on these successes, we can see momentum growing for redeveloping EC's legacy tracts, important as Bliss Bank meets qualified opportunity zone requirements. Bliss Bank, Phases I, II, and III, are under a sales agreement with a national developer. It is estimated **development on 100 acres of the +200-acre Bliss Bank site will support 800 new positions, and generate \$2.2 million in state and local income taxes, and nearly \$1.6 million in real estate taxes annually.** Small, economically-depressed cities like Nanticoke and its surrounding towns need business and industry to thrive. Growth generates funds, and a stronger economy nurtures an improved quality of life. That is especially true when streams and a forested mountainside are preserved.

### 1.c. Strategy for Leveraging Resources

**1.c.i. Resources Needed for Site Reuse:** EC has an established record of leveraging federal, state, and local resources to support its work, and has been particularly fortunate to have received more than \$3.3 million in USEPA Brownfield Cleanup awards. In relation to Espy Run, USEPA and PADEP have granted EC over \$2 million. Bliss Bank, with \$8.9 million in awards, has also tied into the Espy Run project. EC contributes additional resources, including cash, in-kind staff time, topsoil from its 74-acre site, or compost from its large-scale composting facility. We do not expect further funding to be required for the Segment F project. However, using USEPA and EC as leverage, we can pursue other grant opportunities for it and future phases, including:

- **PADEP Growing Greener:** Growing Greener has awarded EC over \$6 million for its reclamation work. Over \$1.6 million has been committed to earlier phases of Bliss Bank. In 2019, EC received \$500,000 for restoration of Segment E of Espy Run.
- **Office of Surface Mining and Reclamation Enforcement (OSMRE) Watershed Cooperative Agreement Program (WCAP):** Supports AMD projects on abandoned minelands undertaken by small nonprofit organizations. EC has discussed the Espy Run project with OSMRE and has been invited to apply for WCAP funds, if required.
- **PADEP Abandoned Mine Land (AML) Pilot Program:** Administered by OSMRE and

<sup>6</sup> PA Department of Labor & Industry. (October 2019). Quarterly Census of Occupational Wages: Luzerne County Profile.

<sup>7</sup> Learn-Andes, J. (1, November 2018). Construction Begins on \$209M Commercial Project in Hanover Twp., Nanticoke. *Times Leader*.

disbursed by PADEP, this program funds reclamation of legacy minelands for economic development. In 2018, EC received \$3 million to complete reclamation of Bliss Bank, Phase III, which included monies for Segment D of Espy Run.

**1.c.ii. Use of Existing Infrastructure:** Infrastructure, in relation to a stream restoration, has different denotations. First, Segment F does include a culvert, part of existent infrastructure, which can be used for this project. Second, the stream channel, as a piece of stormwater management, is a newly added piece of green infrastructure. It allows water to flow more naturally, impedes AMD production, and reduces the burden on existing stormwater and AMD treatment systems downstream. Third, as the site becomes available for passive recreation, current access roads may be transformed into informal pieces of infrastructure (i.e., trails).

## SECTION 2 | COMMUNITY NEED & COMMUNITY ENGAGEMENT

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### 2.a. Community Need

**2.a.i. The Community's Need for Funding:** Communities in the region face numerous challenges, including economic hardship. Luzerne County has an outstanding debt of \$279 million. Until 2015, the City of Nanticoke was considered a Distressed Municipality. The small surrounding towns also have limited funds. In short, no community has the resources to address the massive environmental issues of these legacy sites. That is why EC was founded, to serve as a partner in and advocate for environmental, economic, and social progress in the South Valley. For 25 years, we have worked to mend the scars of abandoned minelands. **As a 501(c)(3) nonprofit, however, we can only proceed as funding allows. Grants are imperative for EC to carry out its work.** USEPA's commitment to earlier segments of the Espy Run restoration have proven critical to our ability to leverage other funds and achieve the progress we have.

### 2.a.ii. Threats to Sensitive Populations

**2.a.ii.1. Health or Welfare of Sensitive Populations:** Segment F is located in Census Tract 2149. However, that subdivision spans 10mi<sup>2</sup> with only 1,353 people residing within it. More relevant to the project is Census Tract 2143, which includes the Hanover section of Nanticoke and encompasses Segment A and part of Segment B of Espy Run. Over 2,000 people reside in its 1 mi<sup>2</sup>, and it embodies many of the challenges faced by area communities living amid legacy minelands. With anthracite spoils, the primary health hazard is physical injury due to their rough and unstable nature. They also create uncertainty, as the sites are prone to subsidence and fires. In fact, within the Segment F channel, there has been one subsidence recorded. Within a ½-mile radius, PADEP's Bureau of Abandoned Mine Reclamation has responded to three additional subsidences, four mine fires, and two air quality incidents.<sup>8</sup>

As a form of blight, the minelands depress property values and hamper redevelopment. The average home value in the tract is 40% less than that of Luzerne County.<sup>9</sup> Over 75% of homes were built before 1970. The potential problems of substandard housing (e.g., mold, lead, rodents, carbon monoxide) are compounded by other markers of decline – overgrown vegetation, dumping, and illegal activities. Nanticoke's rate for vandalism is 36.5% higher than the county; its arson rate is 58.1% more.<sup>10</sup> These stressors have been shown to produce negative health outcomes<sup>11</sup>, and disproportionately affect sensitive populations in the vicinity, which include the

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<sup>8</sup> PADEP. Map depicting AML Inquiries and Complaints [map]. eMapPA. <http://www.depgis.state.pa.us/emappa/>

<sup>9</sup> U.S. Census/FactFinder. 2013-2017 American Community Survey (ACS) (Tract 2143, Luzerne County, Pennsylvania). ACS statistics going forward will reflect data from these three entities, unless otherwise noted.

<sup>10</sup> PA State Police. Pennsylvania Uniform Crime Reports, 2015.

<sup>11</sup> South, E.C., et al. (2015). Neighborhood Blight, Stress, & Health. *American Journal of Public Health*, 105, pp. 909-913.



elderly (25.7%), disabled (18.4%), women of childbearing age (38.6%), and children (20.1%).

**2.a.ii.2. Greater than Normal Incidence of Disease & Adverse Health Conditions:** Whether attributable to working in the mines, an aging population, or simply a lower quality of life, health indicators for those in the vicinity of Bliss Bank and Espy Run are wanting:

- Based on municipality data, Nanticoke has higher incidences of colon, oral, skin, and breast cancers than Luzerne County.<sup>12</sup> Occurrence of lung cancer is nearly 3% higher.
- Heart disease comprised 31.9% of deaths from 2012-2016, compared to 26.1% for Luzerne County. Of deaths attributable to cancer, 29.5% were from cancer of the lung (Luzerne County = 24.7%). Sadly, death by suicide was also higher (1.8% vs. 1.4%).
- Part of the area addressed by this application (including Census Tract 2143) is considered a low-income food desert by the U.S. Department of Agriculture (USDA).<sup>13</sup>
- Luzerne County ranks 64<sup>th</sup> in health outcomes out of 67 counties, with a 20% higher likelihood of premature death.<sup>14</sup> Linked to this is a new high in drug overdose deaths, with 169 known fatalities in 2018.<sup>15</sup> The total for 2016 was 142.
- Drinking water violations for Luzerne County are higher than average.<sup>16</sup> Health impacts of AMD are unknown, although USEPA and USDA state it may pose hazards to human health.<sup>17</sup> AMD-contaminated water rarely meets USEPA standards for protection of freshwater organisms or drinking, thereby limiting its use.<sup>18</sup>

**2.a.ii.3. Disproportionately Impacted Populations:** The coal industry's exit severely challenged the South Valley. Beyond the mine-scarred lands and damaged waterways, jobs with family-sustaining wages never reappeared, and local economic initiatives have failed to thrive. Generally, conditions like these occur disproportionately in areas with low socioeconomic standing, a category the area unquestionably falls within. Numerous economic indicators confirm this:

- Three Environmental Justice Communities are within ½-mile of Segment F, including Census Tract 2143.<sup>19</sup>
- The median household income for Tract 2143 is \$35,054, nearly 34% lower than Luzerne County's. On average, 21.1% of residents live below the poverty line. Seniors, single mothers, and children are particularly hard hit. Over 61.6% of students in the Nanticoke Area School District receive free or reduced lunch; for Hanover Area, the rate is 95.9%.<sup>20</sup> In the past 12 months, 20.3% of households have used SNAP benefits.
- Those in Tract 2143 who grew up in poverty had a higher than average rate of incarceration.<sup>21</sup>
- On average, 16.6% of residents aged 18-24 have failed to graduate high school. Only 15.2% of residents 25 or older have a college degree (Luzerne County = 22.8%; PA = 30.9%). Regional manufacturers have stated concern about "attracting a qualified workforce" for open positions. In fact, in a recent survey, 40% of the 125 area

<sup>12</sup> Data in this and next bullet taken from PA Department of Health's *Standard Output Tables* for cancer, cancer deaths, and mortality for 2012-16.

<sup>13</sup> Economic Research Service (ERS), USDA. *Food Access Research Atlas*, <https://www.ers.usda.gov/data-products/food-access-research-atlas/>

<sup>14</sup> University of Wisconsin Population Health Institute. (2018). County Health Outcomes: Luzerne County. [www.countyhealthrankings.org](http://www.countyhealthrankings.org)

<sup>15</sup> Learn-Andes, J. (26, February 2019). Final 2018 Statistics Show 169 Overdose Deaths in Luzerne County. *Times Leader*. p. 1+.

<sup>16</sup> University of Wisconsin Population Health Institute. (2018). County Health Outcomes: Luzerne County. [www.countyhealthrankings.org](http://www.countyhealthrankings.org)

<sup>17</sup> See [water.epa.gov/polwaste/nps/acid\\_mine.cfm](http://water.epa.gov/polwaste/nps/acid_mine.cfm) & [www.fs.usda.gov/detail/whitemountain/landmanagement/projects/?cid=stelprdb5209652](http://www.fs.usda.gov/detail/whitemountain/landmanagement/projects/?cid=stelprdb5209652)

<sup>18</sup> Cravotta, C.A., III. (2008). Dissolved Metal and Associated Constituents in Abandoned Coal-Mine Discharges, Pennsylvania, USA. Part I: Constituent Quantities and Correlations. *Applied Geochemistry*, 23, pp. 166-202.

<sup>19</sup> PADEP. Map depicting Environmental Justice Areas by Census Tract, 2015 [map]. eMapPA. <http://www.dep.state.pa.us/emappa/>

<sup>20</sup> Pennsylvania Department of Education. Yearly reports: % Students Eligible for Free and Reduced Lunch, 2018-2019.

<sup>21</sup> Opportunity Insights. (2019). Data for U.S. Census Tracts [map]. [www.opportunityatlas.org](http://www.opportunityatlas.org)



companies polled cited it as a chief concern (vs. 28% nationally).<sup>22</sup>

- The unemployment rate for Luzerne County is 5.4%, lagging behind the state (4.0%) and country (3.6%).<sup>23</sup> Weekly wages are \$317 below the national average, making Luzerne County 315<sup>th</sup> out of 356 large counties in the United States for average earnings.<sup>24</sup> For the metro area, the jobless rate is the second highest in Pennsylvania.<sup>25</sup>

**2.b. Community Engagement:** EC recognizes the value of community engagement and input. EC was formed by a coalition of business, educational, neighborhood, and elected leaders, who believed local stakeholders should control the fate of local lands. It was for this reason EC involved the community in its land use planning, and why it continues to engage a variety of partners in its work. Projects regularly include partnerships across federal, state, and local levels, and from a diverse range of agencies, industries, and groups. USEPA has been central to EC's success, not only understanding its mission, but also providing technical and financial support, including for earlier phases of the Bliss Bank reclamation and the restoration of Espy Run.

**2.b.i. Project Partners:** Espy Run's restoration requires a combined effort of government officials, community partners, and the private sector. EC has commitments from seven entities to participate in the Segment F project, as needed. All have assisted EC previously, providing technical, environmental, educational, and/or economic expertise. Partners include PADEP, the Eastern PA Coalition for Abandoned Mine Reclamation (EPCAMR), the PA Environmental Council (PEC), the Newport Township Community Organization (NTCO), the Greater Wilkes-Barre Chamber of Commerce (GWBCC), Penn's Northeast, and NorthPoint Development.

**2.b.ii. Project Partner Roles:** Roles of aforementioned project partners follow:

Partner	Point of Contact	Role
PADEP	Shane Kleiner   shkleiner@pa.gov 570.823.2597	State agency involved in earlier segments of Espy Run restoration and will continue to participate.
EPCAMR	Robert Hughes rhughes@epcamr.org 570.371.3522	Local nonprofit working regionally on AML issues. Assists EC on technical projects and community outreach. Also liaisons with Susquehanna River Basin Commission and Chesapeake Bay Foundation, as needed.
PEC	Janet Sweeney jsweeney@pecpa.org 570.718.6507	State organization with northeast headquarters sited locally. Frequent partner of EC on conservation, outdoor recreation, and environmental education initiatives.
NTCO	Palmira Miller   570.592.7876 palmiram@newporttownship.com	Local organization and frequent EC partner in community outreach (e.g., cleanups, tree plantings).
GWBCC	Wico van Genderen wico.vangenderen@wilkes-barre.org 570.823.2101	Serves to connect, build on, and promote local businesses and regional strengths. Will assist EC with planning and promotion of initiative.
Penn's Northeast	John L. Augustine III jaugustine@pennsnortheast.com 570.883.0504, Ext. 1	Regional economic development agency and long-time supporter of EC's redevelopment work. Will promote reuse of Bliss Bank with Espy Run as an amenity.
NorthPoint Development	Brent Miles bmiles@northpointkc.com 816.888.7380	National developer with significant local investment in reuse of three reclaimed EC sites. Contact with the company continues re reuse of EC's lands.

**2.b.iii. Incorporating Community Input:** EC's community engagement plan for Segment F, traces back to a public input process we developed in 2005 for a USEPA-funded project. It was

<sup>22</sup> Esoda, E. (2015). Survey Benchmarks Northeastern PA Manufacturer Challenges against National Peer Group. NEPA Industrial Resource Ctr.

<sup>23</sup> PA Department of Labor & Industry. (October 2019). Quarterly Census of Occupational Wages: Luzerne County Profile.

<sup>24</sup> News Release: County Employment and Wages – First Quarter 2019. (2019, August 21). US Department of Labor [USDOL].

<sup>25</sup> News Release: Metropolitan Area Employment and Unemployment – September 2019. (2019, October 30). USDOL.

later used as a model in Region 3. It includes 1.) establishing a repository for project information and reports; 2.) composing a draft *Analysis of Brownfields Cleanup Alternatives (ABCA)* and allowing for public comment; 3.) disseminating information through EC's website, newsletter, social media outlets, etc.; 4.) holding public meetings to discuss project plans and progress; and 5.) recording public comments and, where reasonable, incorporating them into the scope of work.

In addition to these standard protocols, EC engages the public in other ways. EC proactively communicates with municipalities about projects and attends municipal/agency meetings to discuss plans. More generally, EC connects to the community through its newsletter, website, social media feed, and local media outlets. EC's quarterly board meetings are open to the public. Our offices tend towards an open-door policy, where it is common for residents to call or stop by.

These procedures have and will continue to apply to the Segment F project. As documented in the Threshold Criteria, EC notified the public of its intent to apply for a Cleanup grant through newspaper, website, and social media; made the draft *ABCA* available in its office and online; and allowed for public comment, including at an advertised meeting on November 18, 2019. Should a cleanup grant be awarded, EC will communicate progress through press releases/articles, its newsletter, and its website. We will hold at least one community meeting. Partners will be involved depending on the phase of work (e.g., design, site promotion). A sign noting USEPA's support will be placed at the project entryway. Although English is the predominant language of area residents, EC will assist any individual with limited English proficiency, if required.

### SECTION 3 | TASK DESCRIPTIONS, COST ESTIMATES, & MEASURING PROGRESS

**3.a. Proposed Cleanup Plan:** As summarized in the draft *ABCA*, EC considered three remediation alternatives: no action, and two versions of 1,500 LF of channel restoration. The first alternative neither meets EC's stated objectives for the project, nor conforms to our mission. The second, which excavates a deep channel and adds a riparian buffer, incurs higher costs and doubles the amount of forested land disturbed. The third, selected alternative regrades the channel only to depths required to convey peak flows. The design, however, still creates a stable waterway, reduces velocity of flow, mitigates AMD production, and preserves habitat, all within the funds available. **Importantly, Segment F is the final section of restoration required to connect to Espy Run's natural channel and its pristine headwaters above.**

The Segment F project will begin with EC competitively bidding engineering services. EC encourages application by small local firms and solicits proposals from qualified diverse businesses. After analyzing the site, the procured engineer will design and prepare plans, and obtain required permits (e.g., NPDES). Construction services will then be bid by a publicly-advertised RFP. Restoration will involve site preparation, installation of erosion and sediment (E&S) controls, grading of spoils material, removal of dam obstructions, channel stabilization, and revegetation. The cleanup will comply with all applicable state and federal regulations (e.g., environmental, labor) and in accordance with an E&S plan approved by the Luzerne Conservation District. Parties responsible during the project will be EC, the engineer, and the contractor. EC will manage all activities. We expect the project to be completed comfortably within 36 months.

EC insists on use of BMPs on every project. For the Segment F project, BMPs include:

- **Grading:** Grading removes steep slopes, which can cause erosion of the spoil materials.
- **Stormwater Management:** Stormwater management includes steps to minimize E&S during earthmoving operations, as well as use of suitable materials (e.g., geotextile liner, rip-rap) to control flow velocity after the project's completion.

- **Revegetation:** Greenery not only is visually appealing, but also performs valuable restorative tasks such as slowing run-off, stabilizing land, decreasing erosion, cooling water temperatures, and restoring habitat to encourage the return of wildlife.

BMPs also include consideration of nearby populations. To this end, work will be contained to the defined area and limited to daytime hours. Dust emission controls will be employed. The site has been evaluated for threatened/endangered species. None were found. We believe the safety and environmental improvements from reclamation, including adding green/buffer space, outweigh the temporary disturbances. EC's will maintain the site as long as it retains ownership.

**3.b. Description of Tasks & Activities:** The scope of work will be completed through three primary tasks: cooperative agreement oversight, community outreach, and cleanup activities. Activities, timing, and outputs of each are given below:

Task 1: Cooperative Agreement Oversight	
<b>Activities:</b>	To implement the cooperative agreement, EC staff will select a qualified engineering consultant and construction contractor. Management of the cooperative agreement includes progress reviews, MBE/WBE forms, USEPA reports, ACRES input, and institutional controls. This task also includes travel to brownfields training conferences/webinars, which EC will underwrite.
<b>Schedule:</b>	ongoing, for duration of project (months 1-36)
<b>Leads:</b>	G. Shaw
<b>Outputs:</b>	(1) ABCA; preparation of (1) QAPP; documentation of progress to USEPA via (11) quarterly and (1) final reports, and updates to ACRES; travel to (1) brownfields conference

Task 2: Community Outreach	
<b>Activities:</b>	Implementation of a community relations plan, which includes preparation/publication of notices, project correspondence, and coordination of partner involvement
<b>Schedule:</b>	ongoing, for duration of project (months 1-36)
<b>Leads:</b>	E. Hughes
<b>Outputs:</b>	(1) community involvement plan, (1) community meeting/event, (1) project webpage update

Task 3: Cleanup Activities	
<b>Activities:</b>	Cleanup will be completed by contracted professionals and supervised by EC staff. EC will underwrite a portion of costs associated with both phases of cleanup activity. <ul style="list-style-type: none"> <li>• <b>Engineering:</b> Procured engineer will prepare bid specifications, acquire permits, and assist with procurement of construction-phase contractor and with supervision of work.</li> <li>• <b>Construction:</b> Procured contractor will secure bonds, mobilize equipment, clear and stake site, and install E&amp;S controls. Construction will include grading of spoil materials to achieve specified levels/slopes and removal of dam obstructions. Disturbed areas will be hydroseeded.</li> </ul>
<b>Schedule:</b>	Engineering, months 1-14; construction, months 15-36
<b>Leads:</b>	T. Ostrowski, J. Tarnowski
<b>Outputs:</b>	procurement of (1) engineer/consultant; preparation of (1) specifications package for cleanup activities; procurement of (1) cleanup contractor; restoration of 1,500LF of stream channel in compliance with PADEP regulations and practices

The outcome of the Segment F project is progress towards reestablishing Espy Run's flow. This will 1.) improve hydrologic functioning in the Bliss Bank area; and 2.) reduce production of AMD in the watershed. The project also moves EC forward in pursuit of a reclaimed South Valley, with many indirect, positive outcomes for the land, economy, and community.

**3.c. Cost Estimates:** Reclamation of Segment F is projected to cost \$600,000. EC is seeking \$500,000 through the USEPA Brownfields Cleanup Program to assist with the project. EC will meet the required 20% cost share (\$100,000) through a cash contribution, documented in Attachment A. EC elects not to use grant funds for personnel, fringe, or administrative costs.



Budget Categories		Project Tasks			Total
		T1   Cooperative Agreement Oversight	T2   Community Outreach	T3   Cleanup Activities	
Direct Costs	Personnel				
	Fringe Benefits				
	Travel				
	Equipment				
	Supplies				
	Contractual			\$500,000.00	
	Other				
Total Direct Costs				\$500,000.00	
Indirect Costs					
Total Federal Funding				\$500,000.00	\$500,000.00
Cost Share		\$1,500.00		\$98,500.00	100,000.00
Total Budget:					\$600,000.00

A detailed breakdown of task costs follows. Cleanup estimates are based on preliminary design analysis completed by a qualified engineer.

- **Task 1 | Cooperative Agreement Oversight** (\$1,500 funded by EC; additional hours required will not be charged to the grant)
  - **Conference Travel:** Attendance at national brownfields conference by one individual includes registration (\$125) + M&IE (5 days @ \$66/day = \$330) + lodging (4 nights @ \$181/day = \$724) + airfare/mileage (\$321)
- **Task 2 | Community Outreach** (hours required will not be charged to the grant)
- **Task 3 | Cleanup Activities** (\$500,000 funded by USEPA; \$98,500 funded by EC)
  - **Engineering (lump sum, \$30,800):** Includes design, plan preparation, and permitting (USEPA = \$10,800 / EC = \$20,000 cash)
  - **Construction (\$567,700):** Includes engineer supervision (30 days \$385/day = \$11,550) + bonds (lump sum = \$20,350) + mobilization & site preparation (8 pieces @ \$625/piece + 2 acres @ 6,380/acre = \$17,760) + grading (6,200cy @ \$20.00/cy = \$124,000) + channel stabilization (2,800sy geotextile @ \$2.75/sy + 2,800sy rip-rap @ \$93.50/sy = \$269,500) + dam breach (1,800 tons @ \$52.80 + upstream stabilization @ \$17,500 = \$112,540) + revegetation (1,000sy slope protection @ \$7.50/sy + 1 acre seeding @ \$4,500/acre = \$12,000) (USEPA = \$489,200 / EC = \$78,500 cash)

**3.d. Measuring Environmental Results:** EC routinely monitors project activities for pace, compliance, and adherence to plans. Specified outputs and outcomes, such as those listed in 3.b., are systematically assessed. Generally, work is documented through on-site visits, digital/drone photography, and written documentation. Certain information regarding progress (e.g., work plans, cleanup actions) is submitted to USEPA through quarterly/annual reports and ACRES updates. EC also communicates progress publicly through its newsletter, website, and social media posts. Successful reclamation of the site will be evaluated and documented by PADEP.

## SECTION 4 | PROGRAMMATIC CAPABILITY & PAST PERFORMANCE

### 4.a. Programmatic Capability

**4.a.i. Organizational Structure:** EC's organizational structure supports its long-term success in planning, managing, and completing its projects. EC's all-volunteer Board of Directors provides strategic governance, fiscal guidance, and outcome reviews. Daily operations are performed by EC's core staff, a team committed to EC's mission and well-equipped to handle project requirements. Specifics about the Segment F project team are detailed in Section 4.a.ii.

#### 4.a.ii. Description of Key Staff:

- **Project Director | Terence Ostrowski, PE, President/CEO:** Prior to joining EC in 2019, Mr. Ostrowski gained 21 years of progressive experience as an engineer at Borton Lawson, a Top 500 *ENR* firm. Now, as EC's President/CEO, he directs and manages all organization activities, including strategy, reclamation, conservation, and redevelopment; and oversees finances, operations, and staff.
- **Project Manager | Jason Tarnowski, PLS, Project & Operations Manager:** Mr. Tarnowski has 21 years of survey and engineering experience, much of it within the coal industry. As project manager, he will work with engineers during the design phase, oversee site work, and report progress to the Project Director.
- **Grant Manager | Geoffrey Shaw, CPA, Executive Administrator:** Mr. Shaw has over 33 years of experience in the accounting field. Since joining EC in 2014, he has overseen all financial and grant activities for the organization and will ensure compliance with all terms and conditions of the Cooperative Agreement, including ACRES reporting.
- **Public Relations | Elizabeth W. Hughes, EdD, Director of Communications:** Dr. Hughes, whose background is in community engagement and marketing within the nonprofit sector, will oversee media/public relations, coordinate community events, and represent EC at brownfields-related conferences and trainings.

**4.a.iii. Acquiring Additional Resources:** In accordance with local, state, and federal procurement standards, including solicitation of disadvantaged business enterprises, EC will competitively procure qualified engineering firms and construction contractors.

#### 4.b. Past Performance & Accomplishments

**4.b.i. Currently or Has Ever Received an EPA Brownfield Grant:** EC has received 18 USEPA Brownfield Cleanup grants and two EWDJT grants since 2003. The three most recent cleanup projects, including funds spent as of October 1, 2019, include:

Year	Grant No.	Project	Award	Outlay	Status
2019	BF-96369101	Bliss Bank, Phase V	\$500,000	\$0.00	In Progress
2018	BF-96358701	Espy Run Stream Restoration, Segment C	\$200,000	\$5,750.00	In Progress
2017	BF-96353501	Espy Run Stream Restoration, Segment B	\$200,000	\$45,200.00	In Progress

**4.b.i.1. Accomplishments:** Thus far, EC has reclaimed 2,000 acres of mine-scarred land, built three AMD treatment systems, and consigned 8,000 into conservation/recreational use. We are particularly appreciative for USEPA's continued support. In total, EC's efforts have earned us eight Pennsylvania Governor's Awards for Environmental Excellence, and a USEPA Mid-Atlantic Award for Environmental Excellence in 2009. In 2015, EC was featured as a USEPA Brownfields "Success Story." EC was invited by USEPA to present its story at the annual West Virginia Brownfields Conference in 2016; and at the Pennsylvania Brownfields Conference in 2018. EC also has held two press conferences for USEPA to announce grant awards, and gave a poster presentation at the 2017 National Brownfields Training Conference in Pittsburgh, PA.

**4.b.i.2. Compliance with Grant Requirements:** EC has a reputation of conscientious project management and fiscal responsibility. We have received and administered 25 grants from nine federal agencies, with project costs exceeding \$17.5 million. In all cases, EC has performed grant activities in compliance with work plans, terms and conditions, expenditures, and reporting requirements (including via ACRES). EC has five open USEPA Brownfields Cleanup grants, which expire between September 30, 2020, and September 30, 2022. Completion of projects is expected within set grant periods.





Dedicated to Mine Land Reclamation, Conservation, & Economic Development in the Wyoming Valley

December 3, 2019

Ms. Felicia Fred, Brownfield Coordinator  
Environmental Protection Agency, Region 3  
1650 Arch Street | Mail Code 3HS51  
Philadelphia, PA 19103

RE: Documentation of Leveraged/Committed Funds  
Espy Run Stream Restoration, Segment F  
Hanover Township, Luzerne County, Pennsylvania

Ms. Fred:

Earth Conservancy (EC) is dedicated to revitalizing mine-scarred lands and impacted watersheds in Luzerne County, Pennsylvania. To that end, EC plans to restore approximately 1,500LF of damaged stream channel in Hanover Township, Luzerne County, Pennsylvania, as part of its ongoing Espy Run Stream Restoration project. Earlier projects, including reconstruction of Segments A, B, C, and D; and reclamation of associated minelands (Bliss Bank, Phases I, II, III, and V) have been supported by USEPA Brownfields Cleanup funding.

EC is requesting \$500,000 in Brownfields Cleanup funding from the USEPA Brownfields and Land Revitalization Program for support of the Segment F reclamation project. For its mandatory, 20% cost share, EC will provide a cash contribution of \$100,000 for contracted engineering and construction services, and travel costs to brownfields training events.

Restoration of Espy Run, Segment F, is important to environmental and economic recovery in the region, alleviating nonpoint source pollution, restoring local ecosystems, and recovering damaged land for positive reuse. EC is committed to the project's realization. Should you need anything further, please feel free to contact me.

Sincerely,

Terence J. Ostrowski, P.E.  
President/CEO

## Threshold Criteria

### Including

**Attachment A:** Documentation of Eligibility/Nonprofit Status (1 page)

**Attachment B:** Documentation of Site Ownership (1 page)

**Attachment C:** USGS Topographic Map of Project Site (1 page)

**Attachment D:** Excerpt from Deed of Sale (2 pages)

**Attachment E:** Draft Analysis of Brownfields Cleanup Alternatives (11 pages)

**Attachment F:** Documentation of Community Notification (6 pages)

**1. Applicant Eligibility:** Earth Conservancy (EC) is a registered 501(c)(3) nonprofit organization dedicated to mineland reclamation, environmental conservation, and economic development in the Wyoming Valley of Luzerne County, Pennsylvania. A copy of EC's IRS determination letter is included with the Threshold Criteria as Attachment A.

**2. Previously Awarded Cleanup Grants:** EC affirms that Segment F of the Espy Run stream restoration project has not received funding from a previously awarded U.S. Environmental Protection Agency (USEPA) Brownfields Cleanup Grant.

**3. Site Ownership:** EC owns the property containing Segment F of the Espy Run stream restoration project. A map documenting EC's ownership of the land in relation to the project is included with the Threshold Criteria as Attachment B.

#### **4. Basic Site Information**

- a. Site Name:** Espy Run, Segment F
- b. Site Address:** Hanover Township, Luzerne County, Pennsylvania (zip = 18706); channel runs from approximately 41.179942, -75.987672 to 41.176588, -75.988711.
- c. Current Owner:** Earth Conservancy

#### **5. Status and History of Contamination at the Site**

**a. Hazardous Substance Contamination:** The area that comprises Segment F of Espy Run is mine-scarred land, which consists of sulfide minerals (i.e., pyrite). These minerals produce acid mine drainage (AMD). AMD is considered a pollutant, which renders groundwater impotable and impairs (and can destroy) terrestrial and aquatic ecosystems. Mining wastes, however, are exempt from hazardous substance regulation under Subtitle C of the Resource Conservation and Recovery Act (RCRA, Bevill amendment).

**b. Operational History/Current Uses:** The 2.4-mile Espy Run falls within the Nanticoke Creek watershed, an 8mi<sup>2</sup> sub-watershed of the Susquehanna River Drainage Basin. The stream can be divided in four segments. The first begins at the Hanover Reservoir and runs approximately 0.4 miles. At that point, it reaches a large tract of mine spoils (a.k.a., Bliss Bank) and is lost underground – the “missing” second segment. The third segment begins 0.5 miles later and flows intermittently for 1.3 miles until it reaches the Espy Run Constructed Wetlands. The final 0.3-mile segment ends at its convergence with the Nanticoke Creek.

Much of the land through which Espy Run flows had been used by the Blue Coal Corporation for anthracite mining. Evidence of this activity remains, including large, barren mountains of mine spoils, highly irregular topography, and AMD-contaminated waters. As noted, mining operations also damaged Espy Run's natural channel. Blue Coal abandoned the property at its bankruptcy in 1976. The area has remained in the described condition since that time.

In 2015, EC began reclamation of the Bliss Bank area, moving across the site in phases in an easterly direction. Work on Espy Run has been incorporated into the larger reclamation plan. Projects include:

- **Bliss Bank, Phase I (Parcels A&B):** Reclamation completed in 2015 (36AC).
- **Bliss Bank, Phase II (Parcels C&D):** Reclamation completed in 2019 (22AC).
- **Bliss Bank, Phase III (Parcels E&F):** Reclamation underway (22AC).

- **Bliss Bank, Phase IV & Phase V:** Engineering RFP nearing solicitation.
- **Espy Run, Segment A:** Restoration complete in 2019 (1,000LF)
- **Espy Run, Segment B:** Restoration underway (1,000LF)
- **Espy Run, Segment C:** Restoration underway (1,000LF)
- **Espy Run, Segment D:** Restoration underway (1,000LF)
- **Espy Run, Segment E:** Engineering design underway (750LF)

Eight of the ten above-listed projects have been supported in part by funding from the U.S. Environmental Protection Agency (USEPA).

Additional funding was provided by the Pennsylvania Department of Environmental Protection (PADEP), the Pennsylvania Department of Community and Economic Development (PADCED), and PADEP's Abandoned Mine Lands (AML) Pilot Program (via the Office of Surface Mining and Reclamation Enforcement [OSMRE]).

**c. Environmental Concerns:** Restoration of Espy Run addresses two primary environmental concerns that stem from historic mining activities in area. First, sedimentation – one of USEPA's "Three Big Pollutants" of water<sup>1</sup> – clouds water, clogs channels, and re-routes the stream's path. Runoff from nearby mine spoils – and water discharged from the lost section of Espy Run itself – continue to deposit sediment within the stream, increasing blockages and meandering. Secondly, this same water produces AMD. Iron pyrite, a primary component of the spoils, reacts with water and oxygen to create ferrous iron and sulfuric acid. As Da Rosa, Lyon, and Hocker (1997) note, this acid "will leach from the rock as long as its source rock is exposed to air and water and until the sulfides are leached out – a process that can last hundreds, even thousands, of years" (p. 10).<sup>2</sup> The AMD makes its way into nearby waterways and groundwater, rendering the water not only impotable, but also toxic to many plants and wildlife, thereby impacting local ecosystems. The current project will improve hydrology in the area and prevent loss of flow into underground mines, thereby mitigating AMD seepage into the watershed and discharges downstream.

**d. How Site Became Contaminated and Extent:** According to PADEP, 1.17 miles of the 2.4 mile Espy Run is impaired due to historic mining practices.<sup>3</sup> At its headwaters, water quality is generally good. However, when the stream encounters the mine spoils and is lost underground, the stream's natural channel is destroyed. This is directly attributable to mining activity, both in terms of the culm banks and fractures in the earth. Even after the stream regroups, its flow is weak. Strip mining and mine spoils continue to affect flow. Sedimentation exacerbates the problem, as surface runoff carries rock and soil into the waterway. Urbanization has also occurred, further damaging the stream's pathway.

Moreover, within this stretch AMD is present, creating an orange sludge that coats Espy Run downstream, impairing the stream's chemistry and destroying habitat. Again, it is unlikely this contamination would be present if not for pre-regulatory mining in the area.

**6. Brownfields Site Definition:** Segment F of Espy Run meets the definition of a brownfield in that it is characterized as mine-scarred lands, i.e., "lands, associated waters, and surrounding

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<sup>1</sup> From the EPA's "Three Big Pollutants," <http://water.epa.gov/learn/resources/bigpollutants.cfm>

<sup>2</sup> Da Rosa, C.D., Lyon, J.S., & Hocker, P.M. (1997). *Golden Dreams, Poisoned Streams*. Washington, D.C.: Mineral Policy Center.

<sup>3</sup> Pennsylvania DEP. (2014). *2014 Pennsylvania Integrated Water Quality Monitoring & Assessment Report*.

watersheds where extraction, beneficiation, or processing of ores and minerals (including coal) has occurred.” EC affirms that

- a. **National Priorities List:** Espy Run, Segment F, is not listed or proposed for listing on the National Priorities List.
- b. **CERCLA:** Espy Run, Segment F, is not subject to unilateral administrative orders, court orders, administrative orders on consent, or judicial consent decrees issued to or entered into by parties under CERCLA.
- c. **Government Custody:** Espy Run, Segment F, is not subject to the jurisdiction, custody, or control of the U.S. government.

**7. Environmental Assessment Required for Cleanup Proposals:** In 1993, prior to Earth Conservancy’s purchase of the Blue Coal Corporation estate, all property underwent a field assessment by Resource Technologies Corporation (RTC). The study identified the Bliss Bank tract as “refuse banks” that were part of an existing mine dump. Mine dump soils are generally steep, roughly-graded piles of mine waste material. Mine dumps are not considered to be comprised of a hazardous material. A U.S. Geological Survey topographical map indicating this status is included as part of the Threshold Documentation as Attachment C.

In 2005, an Environmental Site Assessment (ESA) was completed by the U.S. Army Corps of Engineers (USACE) for the Nanticoke Creek watershed, which includes Bliss Bank, as part of its work with PADEP, PADEP’s Bureau of Abandoned Mine Reclamation (BAMR), and EC in developing the *Detailed Project Report and Integrated Environmental Assessment of the Nanticoke Creek Watershed*, under Section 206 – Ecosystem Restoration. Again, the report indicated much of the area is covered by Mine dump soils. Based on the USACE study, no recognized environmental conditions were identified that would limit potential future uses.

In 2011, Pennsylvania Tectonics, Inc., completed a Phase I ESA for the Bliss Bank site in preparation for a Brownfields Cleanup application to USEPA. This ESA indicated the majority of the area is covered by Strip mine soils. According to the *Soil Survey of Luzerne County* (1981) by the U.S. Department of Agriculture (USDA), strip mine soils are a “nearly level to very steep mixture of the bedrock and unconsolidated soil and rock material through surface mining to expose anthracite coal. Runoff is slow to very rapid, and the hazard of erosion is moderate to severe. Most areas are extremely acid.”<sup>4</sup> Areas of mine dump, mine wash, urban land, and cut and fill land are also included in strip mine areas. There were no ongoing or anticipated environmental enforcement actions related to the site. The report recommended no Phase II ESA need be performed.

In October 2017, a Phase I ESA was conducted for the entire length of the proposed Espy Run restoration project by LaBella Associates. Similar to the prior ESA for Bliss Bank, the property was characterized as Strip mine and Mine dump soils. The report stated that “no Recognized Environmental Conditions exist and that the subject property does not pose a significant environmental risk.” A Phase II ESA was not recommended.

In November 2017, in lieu of a Phase II ESA, USACE provided a written statement reaffirming its analysis of and recommendations for Espy Run from its 2005 *Detailed Project Report* for the

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<sup>4</sup> Bush, R.D. (1981). *Soil Survey of Luzerne County, Pennsylvania*. Washington, D.C.: USDA Soil Conservation Service in Cooperation with The Pennsylvania State University College of Agriculture and the Pennsylvania Department of Environmental Resources State Conservation Commission.



Nanticoke Creek watershed. Actions, such as grade control structures, reconstruction of the stream channel, and stabilization of the channel bank, were confirmed as appropriate steps to restore flow between the upper and lower reaches of Espy Run, and to address environmental and reuse concerns. The OSMRE issued a letter of concurrence with the USACE's statement regarding these recommendations on November 14, 2017.

**8. Enforcement or Other Actions:** There are no ongoing or anticipated environmental enforcement or other actions related to the brownfield site for which EC is seeking funding; nor are there any inquiries or orders from federal, state, or local government entities regarding responsibility of any party, including EC, for the contamination or hazardous waste at the site, of which EC is aware.

**9. Sites Requiring a Property-Specific Determination:** Espy Run, Segment F, does not require a site-specific determination, since it does not fall under any of the stated requirements requiring such determination, including National Priorities List, CERCLA, or Government Custody.

#### **10. Threshold Criteria Related to CERCLA/Petroleum Liability**

##### **a. Property Ownership Eligibility – Hazardous Substance Sites**

**iii. CERCLA §107 Liability:** EC affirms that the Bliss Bank/Espy Run area is not a hazardous substances site, and EC, as an Innocent Landowner (ILO), is not liable for contamination of or on the site. A summary of EC's purchase of the Blue Coal Corporation estate clarifies these assertions.

EC was founded in 1992 with the mission of remediating the mine-scarred land of the Blue Coal Corporation and returning it to productive reuse. In 1993, a year prior to acquisition, EC engaged RTC to perform a field study of all the Blue Coal properties. The Bliss Bank area was characterized as strip-mined land and refuse banks, which are not considered comprised of hazardous materials. No other hazardous materials were identified on the site.

EC's purchase of the Blue Coal estate was completed on August 18, 1994. The Deed of Sale states EC is not potentially liable for contamination on the purchased properties under CERCLA §107. Specifically, it reads:

“the purchaser [EC] is not assuming nor shall it in any way whatsoever be liable or responsible, as a successor or otherwise, for any liabilities...., which, whether fixed or contingent, disclosed or undisclosed, are hereby extinguished...[and]...has delivered to purchaser a release thereof. (p. 7)

And:

Without limiting the generality of the foregoing, purchaser shall not be liable or responsible, as a successor or otherwise, for any...obligations...in connection with...environmental liabilities, debts, claims, or obligations arising from conditions first existing on or prior to closing (including without limitation the presence of hazardous, toxic, polluting, or contaminating substances or wastes) which may be asserted on any basis, including without limitation under the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. Section 9601 ET. SEQ. and the Hazardous Sites Clean Up Act, 35 PA. Stat. Ann. Section 6021.101 ET. SEQ. (pp. 7-8)

Relevant pages of the Deed of Sale are included as Attachment D.

**(1.) Information on Liability and Defenses/Protections**

**(a.) Information on the Property Acquisition:** EC purchased the estate of the bankrupt Blue Coal Corporation from Frank J. McDonnell, Trustee in Bankruptcy for the company, on August 18, 1994. The lands were purchased fee simple. The lands (16,496 acres) had sat dormant for the 17 years between Blue Coal declaring bankruptcy and EC's purchase. EC has no current or prior familial, corporate or financial relationships or affiliations with any prior owners or operators of the property, including the person from whom the property was acquired, or with any potentially liable entity.

**(b.) Pre-Purchase Inquiry:** EC purchased the holdings of the Blue Coal Corporation with the express purpose of remediating the mine-scarred lands and encouraging their responsible reuse, including environmental restoration. As noted, EC requested a field assessment of the Blue Coal lands be performed by RTC of State College, Pennsylvania. The report was completed in August, 1993.

**(c.) Timing and/or Contribution of Hazardous Substance Disposal:** There are no hazardous substances in the Bliss Bank/Espy Run area that require removal/disposal. EC affirms it did not cause or contribute to any release of hazardous substances at the site; has not, at any time, arranged for the disposal of hazardous substances at the site; nor has transported hazardous substances to the site. EC is not potentially liable for AMD pollution originating at the site

**(d.) Post-Acquisition Uses:** The site has remained vacant/unused since acquisition, and has been solely within EC's ownership.

**(e.) Continuing Obligations:** EC is unaware of any hazardous substances or continuing or threatened releases at the Bliss Bank/Espy Run site. Since EC has owned the property, reasonable steps have been and will continue to be taken to supervise the property, which includes routine inspections to restrict trespassing and illegal dumping. EC confirms it (i.) will comply with all land use restrictions and institutional controls; (ii.) will assist and cooperate with those performing the cleanup and provide access to the property; (iii.) will comply with all information requests and administrative subpoenas that have or may be issued in connection with the property; and (iv.) will provide all legally required notices.

**b. Property Ownership Eligibility – Petroleum Sites:** Not applicable/not a petroleum site

## **11. Cleanup Authority and Oversight Structure**

**a. Oversight:** Cleanup of Bliss Bank will be managed by EC in accordance with all USEPA guidelines. EC has a long, successful record of mineland reclamation and watershed restoration work. To date, EC has reclaimed 2,000 acres of mine-scarred land, at an investment of over \$49.1 million. Furthermore, a range of collaborators have been involved including USEPA, USDA, OSMRE, USACE PADEP, PADEP BAMR, PADCED, Luzerne County, and many local municipalities. Other environmental, nonprofit, and community organizations also have been integral to our work. USEPA has been particularly instrumental to EC's success, having awarded eighteen Brownfields Cleanup grants since 2003. For every

project, EC has adhered to all specified standards and laws, and has fulfilled all contractual stipulations in relation to grants. EC also strives to keep the community informed about our organization, its projects, and environmental issues through our website, social media posts, newsletters, special brochures, partner events, and the local press.

For Segment F of the Espy Run stream restoration, Terence Ostrowski, PE, EC's President/CEO, will first authorize the project and then be responsible for ensuring compliance with 40 CFR Part 30 and all other associated documents; and for overseeing procurement of engineering and construction firms through an open competitive selection process. He will ensure firms possess a positive performance record and requisite financial and technical resources. EC's Executive Administrator, Geoffrey Shaw, CPA, will assist. Jason Tarnowski, PLS, EC's Project & Operations Manager, will serve as project manager. His responsibilities will include monitoring the procured consultants/contractors to ensure their work meets all stated specifications. EC's Director of Communications, Elizabeth W. Hughes, EdD, will handle partner coordination and community outreach. Qualifications of the project team are described further in the Ranking Criteria, Section 4.a.ii.

**b. Adjacent Properties:** EC owns the land of and surrounding Espy Run, Segment F. EC does not anticipate requiring entry from neighboring properties. However, should the need arise, EC will work with property owners directly to gain access.

**12. Community Notification:** Per application requirements, documents attesting to notification of the public regarding EC's restoration of Espy Run, Segment F, are included as attachments to the Threshold Criteria. These include:

- Copy of the draft ABCA (Attachment E)
- Copy of Proof of Publication and advertisement (Attachment F, page 1)
- Screenshots of EC website and Facebook notification posts (Attachment F, page 2)
- Office and public meeting sign-in/comment sheets (Attachment F, pages 3-6)
  - ♦ No in-office comments were received regarding the draft application or ABCA; therefore, no responses to comments were made. Online comments were made on EC's Facebook post and were individually responded to.
  - ♦ There were no attendees at the public meeting on November 18, 2019, to discuss the draft application or ABCA; therefore, no responses to comments were made.

**13. Statutory Cost Share:** Restoration of Segment F is projected to cost \$600,000. EC is seeking \$500,000 for the project through the USEPA Brownfields Cleanup Grant Program.

- a. Ability to Meet Cost Share:** EC will meet the required 20% cost share of \$100,000 through cash and in-kind contributions, as itemized in the budget table in the Ranking Criteria, Section 3.c. Expenses over the \$600,000 will be covered by EC. If extensive, EC will seek additional grant funding from the Commonwealth of Pennsylvania (e.g., PADEP Growing Greener, PADEP AML Pilot Program) or OSMRE's Watershed Cooperative Agreement Program.
- b. Hardship Waiver:** EC is not requesting a hardship waiver.

INTERNAL REVENUE SERVICE  
DISTRICT DIRECTOR  
31 HOPKINS PLAZA  
BALTIMORE, MD 21201

DEPARTMENT OF THE TREASURY

Date:

JUL 26 1996

EARTH CONSERVANCY  
C/O FREDERICK J GERHART ESQ  
101 S MAIN STREET  
ASHLEY, PA 18706-1506

Employer Identification Number:

Case Number:

526207003

Contact Person:

EP/EO CUSTOMER SERVICE UNIT

Contact Telephone Number:

(410) 962-6058

Our Letter Dated:

April 14, 1993

Addendum Applies:

Yes

Dear Applicant:

This modifies our letter of the above date in which we stated that you would be treated as an organization that is not a private foundation until the expiration of your advance ruling period.

Your exempt status under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3) is still in effect. Based on the information you submitted, we have determined that you are not a private foundation within the meaning of section 509(a) of the Code because you are an organization of the type described in section 509(a)(1) and 170(b)(1)(A)(vi).

Grantors and contributors may rely on this determination unless the Internal Revenue Service publishes notice to the contrary. However, if you lose your section 509(a)(1) status, a grantor or contributor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act, or the substantial or material change on the part of the organization that resulted in your loss of such status, or if he or she acquired knowledge that the Internal Revenue Service had given notice that you would no longer be classified as a section 509(a)(1) organization.

If we have indicated in the heading of this letter that an addendum applies, the addendum enclosed is an integral part of this letter.

Because this letter could help resolve any questions about your private foundation status, please keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown above.

Sincerely yours,

  
District Director

Enclosure:  
Addendum



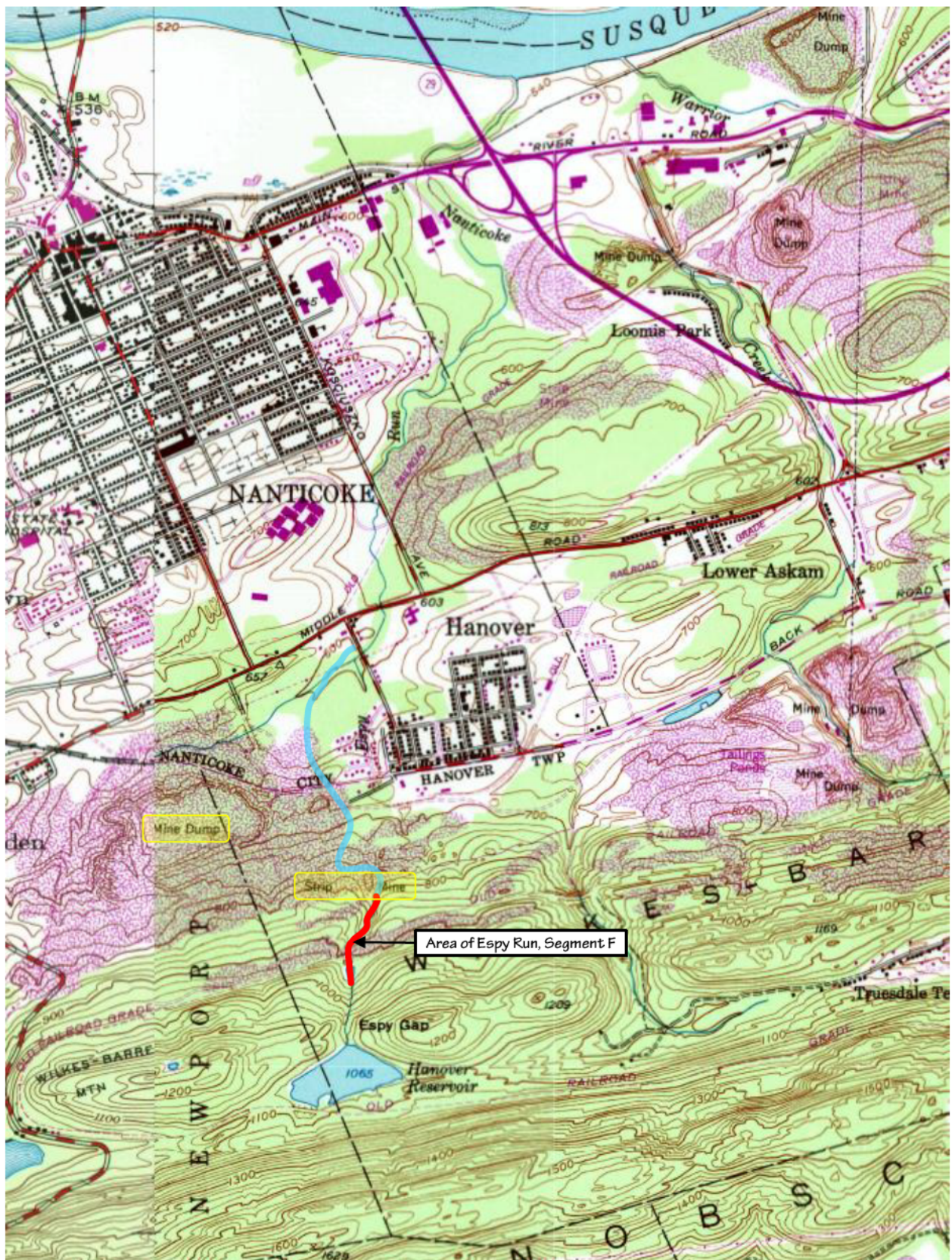
**RPD Analyzer GIS Tax Map Report**  
Luzerne County, PA



Note: Image NOT a Complete Tax Map ... View Selected by User

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instrumentality, domestic or foreign, and any laws, rules, regulations, actions and proceedings of any kind or nature and any claim by any person or entity asserting any rights or interests in the Assets, subject to the terms of this Order.

3. (a) EXCEPT AS OTHERWISE REQUIRED BY STATUTE AND OTHER THAN AS EXPRESSLY PROVIDED FOR IN THE AGREEMENT, PURCHASER IS NOT ASSUMING NOR SHALL IT IN ANY WAY WHATSOEVER BE LIABLE OR RESPONSIBLE, AS A SUCCESSOR OR OTHERWISE, FOR ANY LIABILITIES, DEBTS OR OBLIGATIONS OF THE TRUSTEE, DEBTORS, OR ANY OF THEM OR ANY LIABILITIES, DEBTS OR OBLIGATIONS IN ANY WAY WHATSOEVER RELATING TO OR ARISING FROM THE OPERATION OF EITHER DEBTOR'S ASSETS PRIOR TO CLOSING OR ANY LIABILITIES CALCULABLE BY REFERENCE TO EITHER DEBTOR OR EITHER DEBTOR'S ASSETS OR OPERATIONS, OR, EXCEPT AS SET FORTH BELOW, RELATING TO CONTINUING CONDITIONS EXISTING ON OR PRIOR TO CLOSING, WHICH LIABILITIES, DEBTS AND OBLIGATIONS, WHETHER FIXED OR CONTINGENT, DISCLOSED OR UNDISCLOSED, ARE HEREBY EXTINGUISHED INsofar AS THEY MAY GIVE RISE TO SUCCESSOR LIABILITY, WITHOUT REGARD TO WHETHER THE CLAIMANT ASSERTING ANY SUCH LIABILITIES, DEBTS OR OBLIGATIONS HAS DELIVERED TO PURCHASER A RELEASE THEREOF. WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, PURCHASER SHALL NOT BE LIABLE OR RESPONSIBLE, AS A SUCCESSOR OR OTHERWISE, FOR ANY OF THE TRUSTEE'S OR EITHER DEBTOR'S LIABILITIES, DEBTS OR OBLIGATIONS, WHETHER CALCULABLE BY REFERENCE TO EITHER DEBTOR OR EITHER DEBTOR'S OPERATIONS, OR UNDER OR IN CONNECTION WITH (I) ANY EMPLOYMENT OR LABOR AGREEMENTS, (II) ANY PENSION, WELFARE,

COMPENSATION OR OTHER EMPLOYEE BENEFIT PLANS, AGREEMENTS, PRACTICES AND PROGRAMS, INCLUDING, WITHOUT LIMITATION, EITHER THE TRUSTEE'S OR DEBTOR'S PENSION PLAN; AND ANY PENSION PLAN FOR SALARIED EMPLOYEES OF EITHER THE TRUSTEE OR DEBTOR; (III) THE CESSATION OF EITHER DEBTOR'S OPERATIONS, DISMISSAL OF EMPLOYEES, OR TERMINATION OF EMPLOYMENT OR LABOR AGREEMENTS OR PENSION, WELFARE, COMPENSATION OR OTHER EMPLOYEE BENEFIT PLANS, AGREEMENTS, PRACTICES AND PROGRAMS, OBLIGATIONS WHICH MIGHT OTHERWISE ARISE OR PURSUANT TO EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974, FAIR LABOR STANDARDS ACT, TITLE VII OF CIVIL RIGHTS ACT OF 1964, THE AGE DISCRIMINATION AND EMPLOYMENT ACT OF 1967, FEDERAL REHABILITATION ACT OF 1973, NATIONAL LABOR RELATIONS ACT, OR CONSOLIDATED OMNIBUS BUDGET RECONCILIATION ACT OF 1985, (IV) WORKMEN'S COMPENSATION, OCCUPATIONAL DISEASE OR UNEMPLOYMENT OR TEMPORARY DISABILITY INSURANCE CLAIMS INCLUDING, WITHOUT LIMITATION, BLACK LUNG DISEASE CLAIMS; (V) EXCEPT AS OTHERWISE EXPRESSLY PROVIDED FOR IN THE AGREEMENT AND AS OTHERWISE REQUIRED BY STATUTE, ENVIRONMENTAL LIABILITIES, DEBTS, CLAIMS OR OBLIGATIONS ARISING FROM CONDITIONS FIRST EXISTING ON OR PRIOR TO CLOSING (INCLUDING WITHOUT LIMITATION THE PRESENCE OF HAZARDOUS, TOXIC, POLLUTING, OR CONTAMINATING SUBSTANCES OR WASTES) WHICH MAY BE ASSERTED ON ANY BASIS, INCLUDING WITHOUT LIMITATION UNDER THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION AND LIABILITY ACT, 42 U.S.C. SECTION 9601 ET. SEQ. AND THE HAZARDOUS SITES CLEAN UP ACT, 35 PA. STAT. ANN. SECTION 6021.101, ET. SEQ., (VI) ANY BULK SALES OR SIMILAR LAW, (VII) ANY

# **DRAFT**

## **Analysis of Brownfields Cleanup Alternatives**

Espy Run Stream Restoration, Segment F  
Hanover Township, Luzerne County, PA

Prepared by  
Earth Conservancy

### **INTRODUCTION AND BACKGROUND**

Earth Conservancy (EC) has prepared this Analysis of Brownfields Cleanup Alternatives (ABCA) for restoration of a portion of Espy Run at the Bliss Bank site in Hanover Township, Luzerne County, Pennsylvania. Because of its extensive length, Espy Run is being restored via a sequence of smaller projects, as funding allows. Upon completion, the project will improve environmental health in the area through 1.) reclaiming mine-scarred land; 2.) reducing production of acid mine drainage (AMD); and repairing hydrological functioning in the area. The restored area also may be reused for passive recreation.

The purpose of the ABCA is to provide information about environmental and contamination issues at the site and to evaluate remedial alternatives. This evaluation will be revised, as necessary, and incorporated into the final site cleanup plan for review by the community, project partners, regulatory oversight agencies, and the United States Environmental Protection Agency (USEPA).

### **Organization and History**

EC is a nonprofit organization dedicated to addressing the impacts of historical coal mining activity in northeastern Pennsylvania. Our focus: reclamation, conservation, and economic revitalization. In 1992, leaders from area businesses, colleges, nonprofits, and communities joined together to recover the lands of the Blue Coal Corporation, which had declared bankruptcy in the mid-1970s. Generally located to the west of Wilkes-Barre, many of the nearly 16,500 acres have been ignored, the mine-scarred land seen only as permanent eyesores and reminders of the past. EC, however, views them as an opportunity for growth, progress, and transformation. After raising \$16 million in grants and loans, EC purchased the Blue Coal lands in 1994.

After the sale was finalized, EC began working to return the lands to productive use. It began with two important activities. First, with technical support from Wilkes University, it created a Geographic Information System database with fifteen layers of data on the environmental and geographic characteristics of the lower Wyoming Valley. Second, with professional planners and a 38-member steering committee, it developed a comprehensive, long-term *Land Use Plan (LUP)* to determine the



smartest, most equitable, and most sustainable ways to reuse the received properties. The LUP identified thousands of acres impaired by past mining activities, all of which required physical remediation before reuse could occur. As of today, EC has reclaimed 2,000 acres of that damaged land, which is now available for or already in constructive use across industrial, commercial, residential, and recreational sectors. EC has also worked to mitigate AMD in area watersheds. Over \$49.1 million has been invested to date. All projects trace back to EC's overarching mission, one that seeks a more livable community now, and clears the way for positive, progressive change for future generations.

## Site Description and Proposed Scope of Work

Espy Run is a 2.4-mile stream within the Nanticoke Creek watershed, an 8mi<sup>2</sup> sub-watershed of the Susquehanna River Drainage Basin, which extends into four municipalities: Hanover Township, Newport Township, Warrior Run Borough, and the City of Nanticoke. All of these towns show impacts from past anthracite mining operations, including mine spoils, refuse piles, and AMD-contaminated waters.

Historically, Espy Run was a natural waterway, flowing from the Hanover Reservoir to the Nanticoke Creek, and then on to the Susquehanna River. Water quality at Espy Run's headwaters is good. After approximately 3,200 feet, however, the stream encounters a 200-acre tract of legacy mineland known as Bliss Bank. Previously, the area had been deep mined and strip-mined. It was then used to hold massive stores of coal waste. It is here where Espy Run disappears underground for the remainder of the mined tract. When water does regroup, flow is due solely to stormwater runoff. Sedimentation exacerbates the problem. AMD has also been detected, which enters the watershed. Where stream banks have been eliminated, flooding occurs.

EC identified the Bliss Bank area as important in its environmental and economic revitalization efforts because of its size and location. Extensive progress has already been made in reclaiming the site, supported by six USEPA Brownfields Cleanup grants, two Growing Greener grants from the Pennsylvania Department of Environmental Protection (PADEP), and two AML Pilot Program awards from PADEP's Bureau of Abandoned Mine Reclamation (BAMR) (via the Office of Surface Mining and Reclamation Enforcement [OSMRE]). Additionally, the Espy Run reconstruction project has received three USEPA awards, one Growing Greener award, and one award from the Pocono Forests & Waters Conservation Landscape. Restoration of approximately 5,000 LF of stream channel has been completed or is in process.

This ABCA for restoration of the next section of Espy Run has been written as part of grant application requirements made by USEPA for its Brownfields Cleanup Program. Called "Segment F," the project begins at the end of Segment E and proceeds 1,500 LF in a southerly direction towards Wilkes-Barre Mountain, ending just below a small impoundment basin. A map depicting the general location of the Segment F project is included as Appendix A. This ABCA has been made available for public review.

## Cleanup Objectives

The objectives of the Espy Run Stream Restoration project are

1. Reduction of nonpoint source pollution (sediment, AMD) in the watershed;
2. Mitigation of flood hazards in area neighborhoods;
3. Restoration of natural channel conditions for the creek and its watershed;

4. Improvement of wildlife habitat;
5. Recovery of the site for community benefit (e.g., safety, aesthetics, economics).

These goals are consistent with EC's mission, the *LUP*, and ongoing work. Moreover, they are consistent with goals, recommendations, and regulations of EC's frequent partners on projects within the Nanticoke Creek watershed, including USEPA, PADEP, PADEP BAMR, OSMRE, and the U.S. Army Corps of Engineers (USACE).

## SUMMARY OF PREVIOUS INVESTIGATIONS

In 1993, prior to Earth Conservancy's purchase of the Blue Coal Corporation estate, all property underwent a field assessment by Resource Technologies Corporation. The study identified the Bliss Bank tract as "refuse banks" that were part of a former strip mine and mine dump area. According to the *Soil Survey of Luzerne County* (1981) by the U.S. Department of Agriculture, Strip mine (Sm) soils are a "nearly level to very steep mixture of the bedrock and unconsolidated soil and rock material through surface mining to expose anthracite coal. Runoff is slow to very rapid, and the hazard of erosion is moderate to severe. Most areas are extremely acid."<sup>1</sup> Mine dump soils are generally steep, roughly graded, piles of mine waste material. Strip mine and mine dump areas are not considered to be comprised of a hazardous material. Segment F is within the Strip mine/Mine dump soils.

In 2005, an Environmental Site Assessment (ESA) was completed by USACE for the Nanticoke Creek watershed, which includes Bliss Bank, as part of its work with PADEP, PADEP BAMR, and EC in developing the *Detailed Project Report and Integrated Environmental Assessment of the Nanticoke Creek Watershed*, under Section 206 – Ecosystem Restoration. Again, the report indicated much of the area is covered by Mine dump soils. The limits of disturbance for this project are almost wholly within the Mine Dump soils. Based on the USACE study, no recognized environmental conditions were identified that would limit potential future uses.

In 2011, Pennsylvania Tectonics, Inc., completed a Phase I ESA for the Bliss Bank site in preparation for a Brownfields Cleanup application to USEPA. This ESA reaffirmed the majority of the area is covered by Strip mine soils. Areas of mine dump, mine wash, urban land, and cut and fill land are also included in strip mine areas. There were no ongoing or anticipated environmental enforcement actions related to the site. The report recommended no Phase II ESA need be performed.

In October 2017, a Phase I ESA was conducted for the entire length of the proposed Espy Run restoration project by LaBella Associates. Similar to the prior ESA for Bliss Bank, the property was characterized as comprised by Mine Dump soils. The authors stated no RECs, CRECs, or HRECs were related to the site. Furthermore, "no Recognized Environmental Conditions exist and that the subject property does not pose a significant environmental risk." No Phase II ESA was recommended.

In November 2017, in lieu of a Phase II ESA, USACE provided a written statement reaffirming its analysis of and recommendations for Espy Run from its 2005 *Detailed Project Report* for the Nanticoke Creek watershed. Actions, such as grade control structures, reconstruction of the stream channel, and stabilization of the channel bank, were confirmed as appropriate steps to restore flow between the upper and lower reaches of Espy Run. OSMRE issued a letter of concurrence with the USACE's statement regarding these recommendations on November 14, 2017.

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<sup>1</sup> Bush, R.D. (1981). *Soil Survey of Luzerne County, Pennsylvania*. Washington, D.C.: U.S. Department of Agriculture Soil Conservation Service in Cooperation with The Pennsylvania State University College of Agriculture and the Pennsylvania Department of Environmental Resources State Conservation Commission.

## SITE ASSESSMENT FINDINGS

As noted in the 2011 and 2017 Phase I ESAs, no RECs are present on the Bliss Bank site. Consequently, this ABCA addresses environmental, safety, social, and economic concerns linked to the property – i.e., the broader health impacts that brownfields may pose to a community, which include:

- **Environmental Health:** Potential environmental dangers can be biological, physical, or chemical, and can be the result of site contamination, groundwater impacts, surface runoff, migration of contaminants, or wastes dumped on site.
- **Safety:** Abandoned and derelict structures, open foundations, other infrastructure or equipment that may be compromised due to lack of maintenance, vandalism, deterioration, controlled substance contaminated sites, or abandoned mine sites may all pose safety risks.
- **Social and Economic Factors:** Blight, crime, vagrancy, reduced social capital or community ‘connectedness’, reductions in the local government tax base and private property values that may reduce social services are all social and economic problems sometimes created by brownfields.

The Bliss Bank/Espy Run area has several of the issues identified above. As a legacy mineland, it features physical risks for trespassers, who are not uncommon. Furthermore, the area surrounding Bliss Bank is predominantly residential, comprised of single-family homes. As a barren, unproductive property, it offers no benefit to those residents, nor to the community as a whole. Instead, it represents a form of blight, evidenced by illegal dumping, off-roading, and other illicit activities. Bliss Bank has endured in this condition for more than 40 years. The negative aesthetics and behaviors associated with it have correspondingly affected the outlook and economics of the area.

However, the greatest consequences are environmental. Part can be attributed to the loss of surface water: an ecosystem has been destroyed. A larger problem occurs when the creek diverts underground and catalyzes production of AMD. Generally, AMD develops when water encounters and picks up acid-bearing minerals, common in mine lands. When oxygen is introduced – as when mine water resurfaces – sulfuric acid and ferric iron result. The former produces the strong smell of rotten eggs; the latter creates an orange precipitate.

In streams like Espy Run, AMD damages the environment in several ways. Most discernable is the orange coating on everything the AMD-laden water encounters. Furthermore, water becomes cloudy, raising water temperatures and impeding photosynthesis for algae and other plants. Iron deposits prevent insects and animals from burrowing or creating nests. It also can clog gill structures, obstructing animals’ oxygen intake. With the demise of smaller organisms, food sources for larger creatures disappear. Finally, lower pH levels make the water chemistry inhospitable to aquatic life.

For waterways near mine dumps, such as Espy Run and its proximity to Bliss Bank, the problem is exacerbated. Whether via rain or snowmelt, residual minerals contaminate the water, which then flows into adjacent streams or leaches into groundwater to discharge at another point. In total, water pollution associated with mine-scarred lands contaminates more than 5,500 miles of Pennsylvania waterways.<sup>2</sup> It is a toll on the environment, and the economy as well. It is estimated Pennsylvania loses approximately \$67 million annually from fisheries affected by AMD.<sup>3</sup>

<sup>2</sup> Pennsylvania Department of Environmental Protection. (2014). *Pennsylvania Integrated Water Quality Monitoring and Assessment Report*.

<sup>3</sup> U.S. Geological Service. Pennsylvania Water Science: Coal Mine Drainage Projects in Pennsylvania.  
<http://pa.water.usgs.gov/projects/energy/amd/>



## FORECASTED CLIMATE CONDITIONS

According to the U.S. Global Change Research Program, climate trends for the northeast region of the United States include “heat waves, coastal flooding, and river flooding [that] will pose a growing challenge to the region’s environmental, social, and economic systems. This will increase the vulnerability of the region’s residents, especially its most disadvantaged populations.”<sup>4</sup> Some of these factors, most specifically increased precipitation that may affect flood waters and stormwater runoff, are most applicable to the restoration of Espy Run.

- According to FEMA Flood Zone Map 42079C0365E (11/02/12), Segment F is located entirely in Zone X, an area of minimal flood hazard (i.e., with a 0.2% annual chance of flooding).
- Downstream of the Segment F project on FEMA Flood Zone Map 42079C0353E, are sections of Espy Run zoned “A” (i.e., with a 1% annual chance of flooding and a 26% chance of flooding over the life of a 30-year mortgage). This occasional flooding – due to poor hydrologic functioning – is one of the reasons the Espy Run restoration and concurrent reclamation of Bliss Bank are being undertaken.

A changing climate may result in more frequent and intense precipitation events, which could generate localized stormwater impacts. However, given the elevation of the project, its inclusion of appropriate stormwater mitigation features, and its proposed reuse, changing climate conditions are not likely to affect the site.

## APPLICABLE REGULATIONS, LAWS, AND STANDARDS

In consideration of current and future uses of the Espy Run site, cleanup plans will provide for adequate protection of human health and the environment. EC and its procured engineers/contractors will adhere to all applicable local, state, and federal laws, regulations, and guidance in relation to brownfields and environmental remediation, including, but not limited to, the following:

### Laws and Regulations

- Neither Bliss Bank nor Espy Run have been identified by NPL, or are under CERCLA or RCRA orders. Furthermore, EC is not potentially liable for contamination in or along Espy Run under CERCLA §107, as stated in the Deed of Sale from the Trustee in Bankruptcy for the Blue Coal Corporation. All Appropriate Inquiries (AAI) were conducted prior to sale. EC is considered an Innocent Landowner (ILO) and is not potentially liable for AMD pollution originating at the site.
- No historic sites are on or eligible for the National Register of Historic Places for Bliss Bank.
- In accordance with the Endangered Species Act, a survey of threatened and endangered species was undertaken. No threatened or endangered species are known to inhabit the site.
- Laws and regulation that are applicable to this cleanup include the Federal Small Business Liability Relief and Brownfields Revitalization Act, the Federal Davis-Bacon Act, state environmental law, and local municipality bylaws. Federal, state, and local laws regarding procurement of contractors to conduct the cleanup will be followed.

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<sup>4</sup> U.S. Global Change Research Program. (2014). Key Messages about the Northeast. *National Climate Assessment*. [www.globalchange.gov/explore/northeast](http://www.globalchange.gov/explore/northeast)



- Prior to construction, all appropriate permits will be obtained. This includes submission and approval of an Erosion and Sediment (E&S) Control Plan to the Luzerne Conservation District (LCD), which will identify sources of erosion and sediment on the property and Best Management Practices to implement to address each. Upon approval of the E&S plan, a National Pollutant Discharge Elimination System (NPDES) permit will be issued.
- During construction, the contractor will adhere to all federal, state, and local rules and regulations relating to the Occupational Safety and Health Administration (OSHA), including monitoring the site for hazardous conditions during work. The construction contract will require the contractor to immediately notify EC and the project engineer if a hazardous environmental condition is encountered.
- Because no hazardous substances have been identified at the project site, institutional controls, restrictions, and/or compliances will not be required.

### Cleanup Oversight

To ensure compliance with regulatory requirements and project goals, EC will provide project management, administrative services, and technical expertise during work. The selected project engineer will also assist in these roles, including periodic site visits to monitor progress and adherence to plans. Additional inspections will be performed by LCD and PADEP to verify regulatory compliance and ensure any inconsistencies are immediately addressed.

### Documentation and Reporting

Segment F of the Espy Run stream restoration will comply with all USEPA Brownfields Program requirements (e.g., information repository, public comment, ABCA, cleanup oversight, etc.). EC will be responsible for all documentation and reporting.

## EVALUATION OF CLEANUP ALTERNATIVES

To address the brownfield conditions at the site, three alternatives were considered for the restoration of Espy Run, Segment F. To satisfy USEPA requirements, the effectiveness, implementability, and cost of each alternative must be considered prior to selecting a recommended cleanup plan.

### Alternative #1 | No Action

Alternative #1 leaves the site in its existing condition. No mitigation of environmental damage would occur, nor would issues related to safety, aesthetics, flooding, or AMD be addressed. Productive reuse of the site would be unfeasible and stream work already funded by the USEPA would be rendered obsolete. In short, this alternative would neither meet EC's stated objectives for the project, nor conform to EC's mission.

### Alternative #2 | Restoration of Stream Channel with Mass Earthwork, from Segment E upstream for 1,500 LF, and Impoundment Basin Breach

The USACE *Restoration Report*, which EC still uses in its planning to restore the Nanticoke Creek watershed, recommended restoration of stream channels between stream headwaters and lower stream reaches to "re-establish flows and maximize habitat connectivity and ecosystem function." As noted, within the project area past mining activities have compromised Espy Run,

predominantly due to shifting stream flow underground, as well as sediment buildup in the former stream channel. This contributes not only to AMD, but also to flooding of streets and other low-lying areas downstream.

Alternative #2 involves performing 1,500LF feet of stream restoration, beginning at the terminus of Segment E and continuing to small impoundment basin. Construction for this alternative would involve large-scale excavation of the channel to original grades and slopes, step walls, channel lining, and site stabilization. It would also breach the dam to eventually allow flow into lower sections of Espy Run. Re-vegetation of the area would include a riparian buffer. This alternative would remove coal refuse from the stream channel, restore channel capacity, and reduce stormwater velocity, thereby reducing contributions to AMD production and its associated impacts.

The proposed path for stream restoration for Alternative #2 is shown on Appendix A. The cost estimate included as Appendix B. This alternative will improve safety, environmental, and aesthetic conditions at the site. However, the excavation and additional materials required for this model increase the amount of land disturbed and escalate project costs.

#### **Alternative #3 | Restoration of Stream Channel from Segment E, upstream for 1,500LF, and Impoundment Basin Breach**

Alternative #3 follows the same 1,500LF course as proposed in Alternative #2. However, excavation would occur only to alignment and grades required to convey peak flows. Construction for this alternative would involve grade restoration, channel stabilization, and re-vegetation of the area; and breach the dam to eventually allow flow into lower sections of Espy Run. This alternative would remove coal refuse from the stream channel, restore channel capacity, and reduce stormwater velocity, thereby reducing contributions to AMD production and its associated impacts.

The cost estimate for Alternative #3 is included as Appendix C. This alternative will improve safety, environmental, and aesthetic conditions at the site; and be completed with funds available.

### **Recommended Cleanup Alternative**

After review of remedial alternatives, the recommended alternative is **Alternative #3, Restoration of Stream Channel from Segment E, upstream for 1,500LF, and Impoundment Basin Breach.**

Alternative #1 cannot be recommended since it does not address site risks and impacts. Alternative #2, although it would restore the stream channel and add a riparian buffer, cannot be recommended because 1.) the increased amount of land disturbed; 2.) the destruction of intact riparian forest; and 3.) prohibitive cost. Alternative #3 will have the desired environmental, safety, and aesthetic benefits; and can be completed with the funds available. For these reasons, Alternative #3 is the recommended alternative.

## **ADDITIONAL CONSIDERATIONS**

### **Green Remediation Potential**

The selected alternative employs strategies consistent with USEPA's *Principles for Greener Cleanup* policy by minimizing the environmental footprint of cleanup activities in that it achieves the desired

safety, environmental, and reuse impacts in less space, with less materials/activity, and in a shorter period of time. Consequently, less energy and resources are used, fewer emissions are released, and a smaller amount of habitat is disturbed.

## Public Participation

Public comments on the proposed restoration of Espy Run, Segment F, are important to the cleanup process. A final cleanup method will be selected only after the public is given adequate time to review and comment on the ABCA and all comments have been reviewed and responded to appropriately.

EC will solicit input from the public on this draft ABCA by 1.) posting a copy of the ABCA on EC's website; 2.) notifying the public of the ABCA's availability on social media; and 3.) publishing a public notice inviting input on the ABCA at a public meeting. Modifications to the ABCA may be made on the proposed alternative based on new information or comments received from the public.

## Limitations and Contact

The contents and format of this report are based upon information available and are comparable to cleanup planning documents developed and approved in connection with previous USEPA Region 3 Brownfields Grant programs. This report is a work of opinion; therefore, we cannot offer any warranty regarding our conclusions, advice, or recommendations.

Questions or comments regarding the content of this ABCA report are welcome and should be directed to the undersigned at 570.823.3445 or [m.dziak@earthconservancy.org](mailto:m.dziak@earthconservancy.org).

EARTH CONSERVANCY

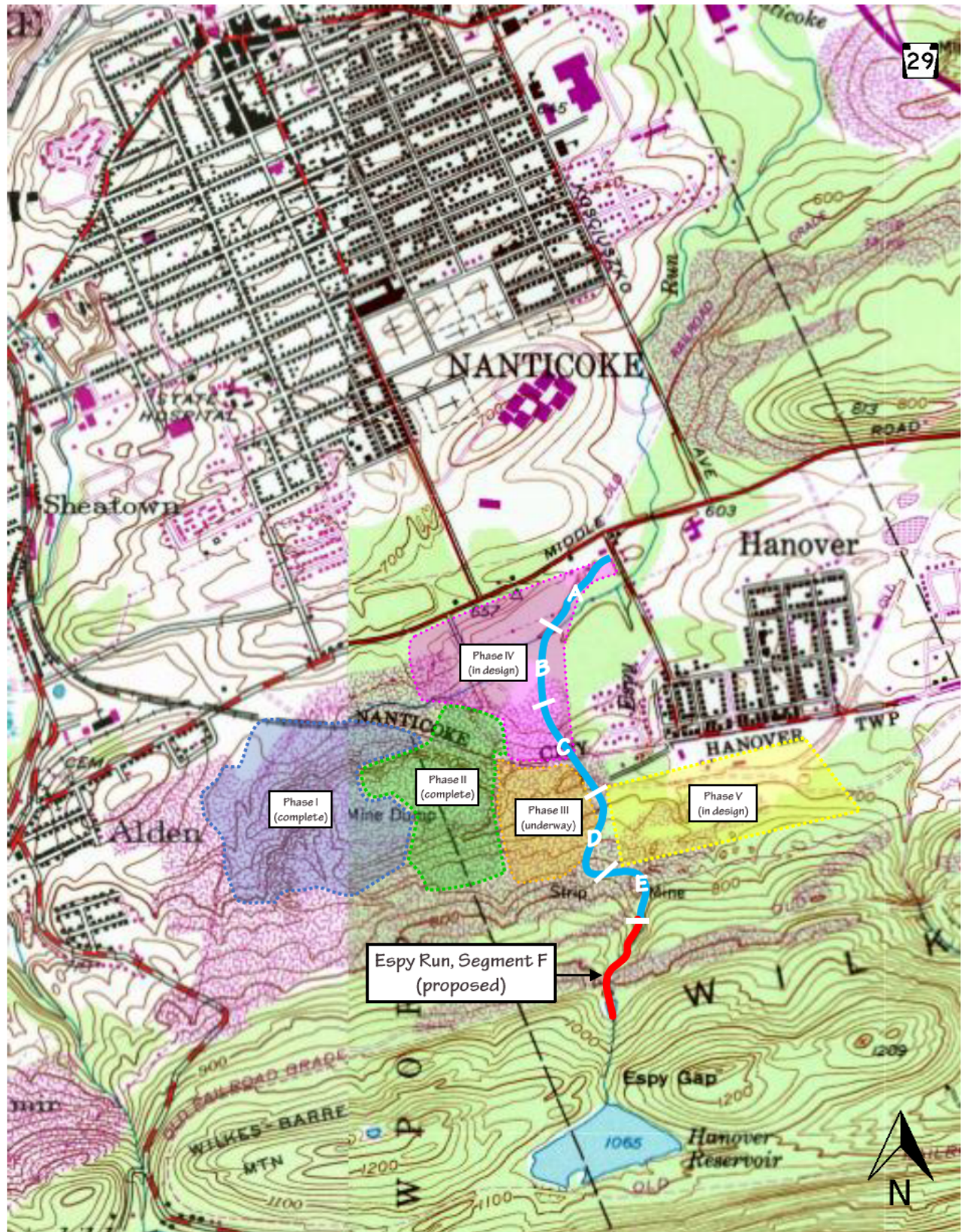


Michael A. Dziak  
President & CEO



# Conceptual Map of Cleanup Alternatives

Espy Run Stream Restoration, Segment F | City of Nanticoke, Luzerne County, PA





## Cost Estimate: Alternative #2

Restoration of Stream Channel with Mass Earthwork,  
from Segment E upstream for 1,500 LF,  
and Impoundment Basin Breach  
Espy Run Stream Restoration, Segment F  
Hanover Township, Luzerne County, PA

Item No.	Item	Qty.	Unit	Unit Price	Total Price
1	Engineering / Permits	1	lump sum	\$ 48,000.00	\$ 48,000.00
2	Performance / Payment Bonds	1	lump sum	50,600.00	50,600.00
3	Project Supervision	60	days	385.00	23,100.00
4	Mobilization / Demobilization	12	pieces	625.00	7,500.00
5	Clear & Grub Channel Area	4	acres	6,380.00	25,520.00
6	Mass Earthwork	12,200	cy	20.00	244,000.00
7	Class 2, Type B Geotextile	3,400	sy	2.75	9,350.00
8	R-5 Rip Rap Lining	3,400	sy	93.50	317,900.00
9	Step-Wall Concrete Blocks	220	each	198.00	43,560.00
10	Remove Existing Channel Obstructions	1,800	tons	52.80	95,040.00
11	Upstream Channel Stabilization	1	lump sum	42,020.00	42,020.00
12	NAG S250 Slope Protection	1,000	sy	7.50	7,500.00
13	Import & Place Topsoil	1,800	tons	48.00	86,400.00
14	Seed & Mulch	2	acres	8,800.00	17,600.00
15	Tree Plantings	200	ea	200.00	40,000.00
				<b>Total Estimate =</b>	<b>\$1,058,090.00</b>

## Cost Estimate: Alternative #3

Restoration of Stream Channel,  
from Segment E upstream for 1,500 LF,  
and Impoundment Basin Breach  
Espy Run Stream Restoration, Segment F  
Hanover Township, Luzerne County, PA

Item No.	Item	Qty.	Unit	Unit Price	Total Price
1	Engineering / Permits	1	lump sum	\$ 30,800.00	\$ 30,800.00
2	Performance / Payment Bonds	1	lump sum	20,350.00	20,350.00
3	Project Supervision	30	days	385.00	11,550.00
4	Mobilization / Demobilization	8	pieces	625.00	5,000.00
5	Clear & Grub Channel Area	2	acres	6,380.00	12,760.00
6	Grade Restoration	6,200	cy	20.00	124,000.00
7	Class 2, Type B Geotextile	2,800	sy	2.75	7,700.00
8	R-5 Rip Rap Lining	2,800	sy	93.50	261,800.00
9	Remove Existing Channel Obstructions	1,800	tons	52.80	95,040.00
10	Upstream Channel Stabilization	1	lump sum	42,020.00	42,020.00
11	NAG S250 Slope Protection	1,000	sy	7.50	7,500.00
12	Seed & Mulch	1	acre	8,800.00	8,800.00
<b>Total Estimate</b>				<b>= \$627,320.00</b>	

Community Notification Ad | Times Leader | Sunday, November 3, 2019

## Proof of Publication

# THE TIMES LEADER

(Under Act of No. 587, approved May 16, 1929)

STATE OF PENNSYLVANIA,  
COUNTY OF LUZERNE

SS:

Kerry Miscaviges, being duly sworn according to law, deposes and says that he/she is the bookkeeper of The Times Leader, a daily newspaper published in the City of Wilkes-Barre, County and State aforesaid, by Civitas Media, LLC, that said The Times Leader was established in 1939, and that the printed notice or publication hereto attached is exactly as printed in the regular edition of The Times Leader on the following date(s):

**LEGAL NOTICE**  
In accordance with the U.S. Environmental Protection Agency's community involvement requirements for grant proposals, Earth Conservancy (EC), a private 501(c)(3) nonprofit corporation, located in Ashley, Luzerne County, PA, announces the availability of a draft Analysis of Brownfields Cleanup Alternatives (ABCA) that has been prepared for reclamation of the site known as Espy Run, Segment F, located in Hanover Township, Luzerne County, PA. The ABCA summarizes environmental conditions on the site, evaluates cleanup alternatives, and describes cleanup plans.  
A copy of the draft ABCA and of the draft grant application are available for review during business hours at EC's offices, beginning on Monday, November 4, 2019. The draft ABCA may also be downloaded at [www.earthconservancy.org](http://www.earthconservancy.org). Questions or comments from the public are welcomed by calling 570-823-3445 or emailing [e.hughes@earthconservancy.org](mailto:e.hughes@earthconservancy.org). A public meeting to discuss the proposed project and the draft ABCA will be held Monday, November 18, 2019, at 8:30am, at 101 South Main Street, Ashley, PA 18706. Public comments on the draft ABCA and proposed cleanup will be accepted.

November 3, 2019  
\_\_\_\_\_

\_\_\_\_\_ says and says that The Time Leader is a daily newspaper on and that neither the affiant nor The Times Leader is subject matter of the aforesaid notice of advertisement, \_\_\_\_\_ in the foregoing statement as to time, place and \_\_\_\_\_ tion are true.

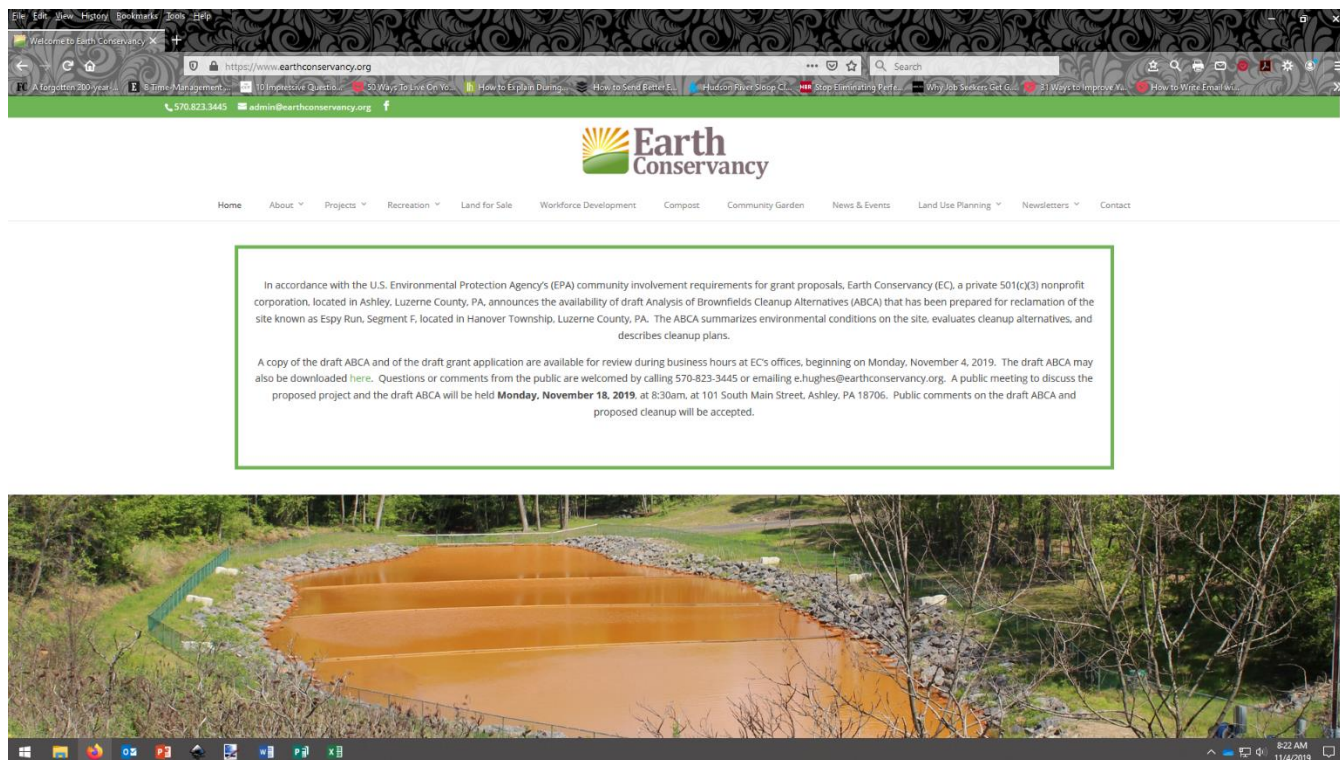
Lauren Scott  
\_\_\_\_\_

Sworn to before me this 4 day  
of November, 2019.

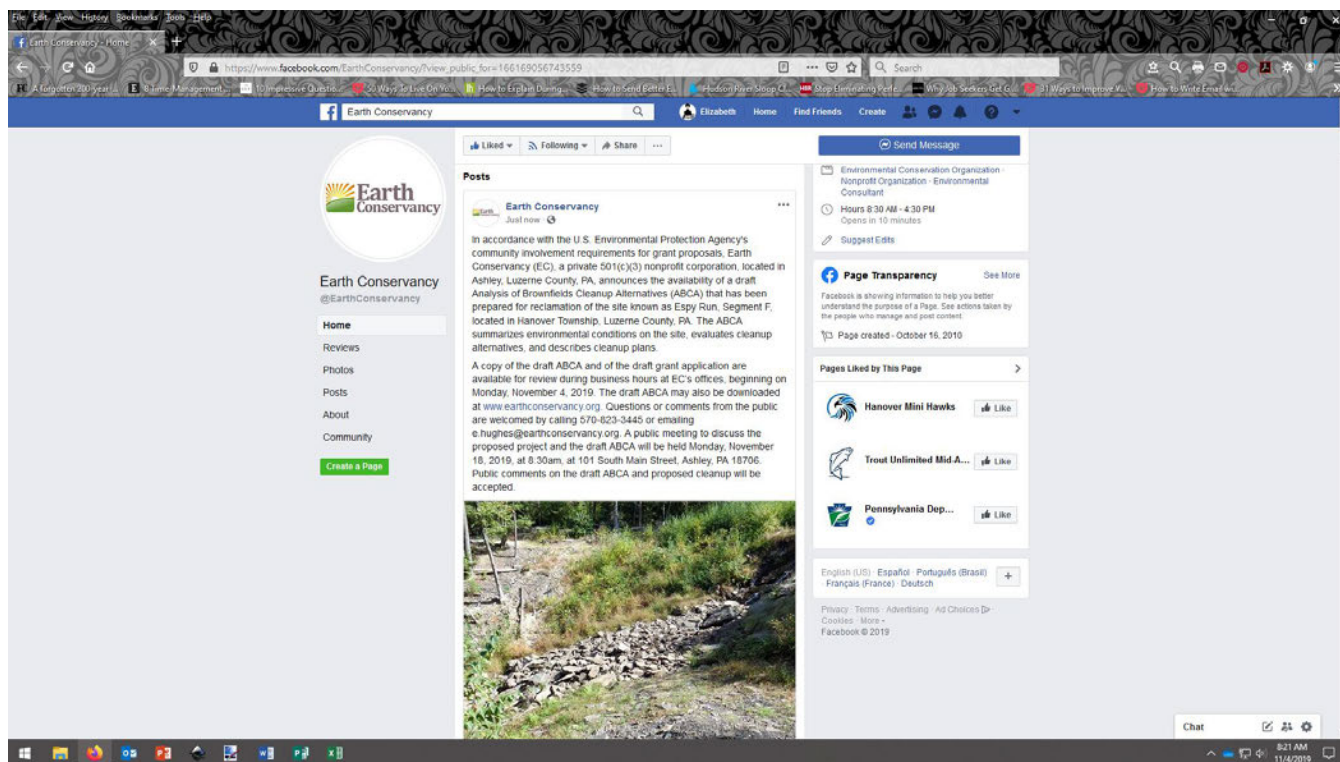
Commonwealth of Pennsylvania - Notary Seal  
Lauren Scott, Notary Public  
Luzerne County  
My commission expires January 12, 2022  
Commission number 1324391  
Member, Pennsylvania Association of Notaries

## Community Notification Online | November 4 – November 20, 2019

www.earthconservancy.org



www.facebook.com/EarthConservancy





## Public Comments to Draft ABCA (In-office)



**Dedicated to Mine Land Reclamation, Conservation, & Economic Development in the Wyoming Valley**


**Public Comments**  
**U.S. EPA Brownfields Cleanup Grant Application & ABCA**

## Espy Run Stream Restoration, Segment F

**Directed to Earth Conservancy between November 4 and November 20, 2019**


[illegible]

## Public Comments to Draft ABCA (Electronic)

**Earth Conservancy**  
November 4 at 8:20 AM · 🌐

In accordance with the U.S. Environmental Protection Agency's community involvement requirements for grant proposals, Earth Conservancy (EC), a private 501(c)(3) nonprofit corporation, located in Ashley, Luzerne County, PA, announces the availability of a draft Analysis of Brownfields Cleanup Alternatives (ABCA) that has been prepared for reclamation of the site known as Espy Run, Segment F, located in Hanover Township, Luzerne County, PA. The ABCA summarizes environmental conditions on the site, evaluates cleanup alternatives, and describes cleanup plans.

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539  
People Reached

124  
Engagements

Boost Post

👍 6

21 Comments 2 Shares



👍 Like


💬 Comment

➦ Share

🌐


All Comments ▾

 Write a comment... 


**Adam Vanderhoff** Todd Sabecky here ya go....they are gonna "reclaim" this now so that the "nonprofit organization " can sell it  
Like · Reply · Message · 1w 

👍 1


^ Hide 15 Replies


**Earth Conservancy** Adam, this is a stream restoration project. As you can see, there is currently no water in the creek bed - it has been diverted underground into the mines. The project is to restore flow in the channel. Banks will be lined with a riparian forest buffer. It will not be developed.  
Like · Reply · 1w 

👍 1


**Adam Vanderhoff** Earth Conservancy just like the land in hanover section of nanticoke was to be preserved for fragile wildlife....just to be sold n leveled for warehouses  
Like · Reply · Message · 1w 

👍 2


**Earth Conservancy** Adam, as discussed in other posts, those tracts were not slated for conservation. However, we are working on a conservation initiative with DCNR to preserve WB Mountain above it.  
Like · Reply · 1w

**James Havens** Earth Conservancy I got an 100% honest question here. That track you are talking about. The water drains into the little Rez. Then underground via pipeline to back feed Hanover twp. I mean it could all rotted out years later and is going underground now. But don't ya think the mine fire burning is a bigger concern?  
Like · Reply · Message · 1w 

👍 1

**Adam Vanderhoff** Earth Conservancy you are incorrect and if I was allowed to comment with pics I'd be able to attached a pic of one of your signs still on a tree stating you guys are protecting this area for wildlife habit and in the background of same pic theres equipment clearing trees because your "non profit" organization sold the land to warehouse developers  
Like · Reply · Message · 1w 

👍 3

**Earth Conservancy** James, from our studies there is no actual pipeline - it enters the mine pools. Is there a specific mine fire you're speaking of? Or just concern for them?  
Like · Reply · 1w



Public Comments to Draft ABCA (Electronic), continued

 **James Havens** Earth Conservancy there is an active mine fire there burning.  
Like · Reply · Message · 1w  1

 **Earth Conservancy** James, we're not familiar with this fire - and we're up there often. We'd appreciate it if you could come in or call to discuss.  
Like · Reply · 1w

 **James Havens** Earth Conservancy dep reported it. The Washington times published it. You can see the steam on a cold morning and have pictures to prove it.  
Like · Reply · Message · 1w

 **Earth Conservancy** James - Got it.  
Like · Reply · 1w

 **James Havens** Earth Conservancy so you know what I am talking about?  
Like · Reply · Message · 1w


 **Geoff Willis** Don't worry about it just prep the area for another million sq ft warehouse with low paying jobs. Everyone knows we need more of them  
Like · Reply · Message · 1w  2



 **Earth Conservancy** James - Yes. I see from the article it's linked in with Warrior Run, too. DEP-BAMR did study this; they are the agency that handles mine fires (i.e., Priority 1 and 2 mine issues; we can only handle Priority 3). You may want to follow up with them to check on status: 570-826-2371.  
Like · Reply · 1w


 **James Havens** Earth Conservancy I would say it would be high on the list to fix. Considering all water run off goes into the mines. Reclaiming what's on top doesn't fix what is underneath. Rain will always keep the mine pool high.  
Like · Reply · Message · 1w


 **Todd Sabecky** Geoff Willis but it's a fragile eco system....all the bright orange signs say so. Ya know, the ones that are placed all over where they are not building for warehouses.  
Like · Reply · Message · 1w


 Write a reply...    






 **Adam C. Zwolinski** That "stream bed" looks like one of your reclaim jobs. Why cant you people just leave things alone and let nature repair itself.  
Like · Reply · Message · 1w

 **Earth Conservancy** Adam, this is not an area that's been reclaimed previously. If you see areas lined with rip-rap on our reclamation sites, those are standard features done as part of stormwater management to prevent erosion/sedimentation.  
Like · Reply · 1w  1

 **David Rushnock** I call bs on this... I've personally seen the build plans and excavation for this whole area... if you'd didn't plan to build on this site why did you's put this area up for bid to contracts?? Know why?? Cause you's at earth conservancy see the huge pro... [See More](#)  
Like · Reply · Message · 1w · Edited

 **Earth Conservancy** David, you may also want to check out the most recent land use plan we did for Newport Township: <https://www.dropbox.com/.../19.NewportTwpMasterPlan.pdf...> You'll see that a large portion is ideal for recreational use. However, we are not the only landowner in the area. Other parties would need to come to the table, as well as an entity to take a park over.  
Like · Reply · 1w

 **Earth Conservancy** David, I'm not clear on what you're referring to re bid to contracts.  
Like · Reply · 1w

 Write a reply...    



## Summary/Notes of Public Meeting | Monday, November 18, 2019, at 8:30AM

[illegible]

## Application for Federal Assistance SF-424

\* 1. Type of Submission:

- ☐ Preapplication  
☒ Application  
☐ Changed/Corrected Application

\* 2. Type of Application:

- ☒ New  
☐ Continuation  
☐ Revision

\* If Revision, select appropriate letter(s):

\* Other (Specify):

\* 3. Date Received:

11/21/2019

4. Applicant Identifier:

5a. Federal Entity Identifier:

5b. Federal Award Identifier:

BF

### State Use Only:

6. Date Received by State:

7. State Application Identifier:

### 8. APPLICANT INFORMATION:

\* a. Legal Name:

Earth Conservancy

\* b. Employer/Taxpayer Identification Number (EIN/TIN):

(b) (6)

\* c. Organizational DUNS:

8073657050000

### d. Address:

\* Street1:

101 South Main Street

Street2:

\* City:

Ashley

County/Parish:

\* State:

PA: Pennsylvania

Province:

\* Country:

USA: UNITED STATES

\* Zip / Postal Code:

18706-1506

### e. Organizational Unit:

Department Name:

Division Name:

### f. Name and contact information of person to be contacted on matters involving this application:

Prefix:

Dr.

\* First Name:

Elizabeth

Middle Name:

Williams

\* Last Name:

Hughes

Suffix:

Title:

Director of Communications

Organizational Affiliation:

Employee

\* Telephone Number:

570-823-3445

Fax Number:

570-823-8270

\* Email:

e.hughes@earthconservancy.org

## Application for Federal Assistance SF-424

### \* 9. Type of Applicant 1: Select Applicant Type:

M: Nonprofit with 501C3 IRS Status (Other than Institution of Higher Education)

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

\* Other (specify):

### \* 10. Name of Federal Agency:

Environmental Protection Agency

### 11. Catalog of Federal Domestic Assistance Number:

66.818

CFDA Title:

Brownfields Assessment and Cleanup Cooperative Agreements

### \* 12. Funding Opportunity Number:

EPA-OLEM-OBLR-19-07

\* Title:

FY20 GUIDELINES FOR BROWNFIELD CLEANUP GRANTS

### 13. Competition Identification Number:

Title:

### 14. Areas Affected by Project (Cities, Counties, States, etc.):

1234-2019.EPA.EspyF-Affected Areas.pdf

Add Attachment

Delete Attachment

View Attachment

### \* 15. Descriptive Title of Applicant's Project:

Espy Run Stream Restoration, Segment F

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments



**Application for Federal Assistance SF-424****16. Congressional Districts Of:**

\* a. Applicant PA-008

\* b. Program/Project PA-008

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

**17. Proposed Project:**

\* a. Start Date: 10/01/2020

\* b. End Date: 09/30/2023

**18. Estimated Funding (\$):**

* a. Federal	500,000.00
* b. Applicant	100,000.00
* c. State	0.00
* d. Local	0.00
* e. Other	0.00
* f. Program Income	0.00
* g. TOTAL	600,000.00

**\* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- ☐ a. This application was made available to the State under the Executive Order 12372 Process for review on .
- ☒ b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- ☐ c. Program is not covered by E.O. 12372.

**\* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**☐ Yes ☒ No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

View Attachment

**21. \*By signing this application, I certify (1) to the statements contained in the list of certifications\*\* and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances\*\* and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

☒ \*\* I AGREE

\*\* The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

**Authorized Representative:**

Prefix: Mr. \* First Name: Terence

Middle Name: Joseph

\* Last Name: Ostrowski

Suffix:

\* Title: President/CEO

\* Telephone Number: 570-823-3445 Fax Number: 570-823-8270

\* Email: t.ostrowski@earthconservancy.org

\* Signature of Authorized Representative: Elizabeth W Hughes \* Date Signed: 11/21/2019